

OREGON BOARD OF OPTOMETRY

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From the President

Joan Ploem Miller, OD

Oregon TPA certified optometric physicians have been utilizing pharmaceuticals to treat the eye since 1994. OAR Chapter 852, Division 80 lists conditions that apply to the use of these pharmaceuticals. These conditions were adopted to allow the responsible and controlled expansion of the scope of the optometric profession.

Since implementation of this legislation the Board has not received even a single complaint of inappropriate use of pharmaceuticals by optometrists. It is obvious to the Board that optometrists in Oregon treat eye disease prudently and with

good clinical judgement.

After receiving overwhelming testimony in favor of change, effective July 1, 1998, Conditions 4 through 7 of OAR 852, Chapter 80, subsection 030 have been deleted. Treatment with anti-virals for more than 14 days and treatment with anti-fungals no longer require consultation with an ophthalmologist. Conditions for treatment with steroids are no longer specified and treatment with anti-glaucoma agents is only limited by *ORS 683.270 (4) Prior to instituting treatment with antiglaucoma medication, optometrists shall consult with an ophthalmologist or other doctor of medicine or doctor of osteopathy licensed under ORS chapter 677.*

The Board recognizes all physicians have the same ability to treat patients appropriately and seek consultation from other physicians as indicated by the patient's condition. Doctors are reminded that it is the Board's responsibility to protect the public. The Board will continue to expect optometric physicians to follow accepted standards of care in providing

treatment to their patients. In evaluating whether care was appropriate, the legibility and completeness of records is critically important.

Doctors should also be aware that new legislation is now in effect that has significantly changed the complaint process. In the past when a patient filed a formal complaint, the doctor received a copy of the complaint and the Board reviewed the doctor's response and all chart notes. New privacy provisions prohibit the Board from revealing the name of the complaining party and the specific nature of the complaint. While this process can be cumbersome and frustrating, we would like doctors to realize that we are simply forced to comply with all statutes. When we receive a complaint we will request records. Doctors are reminded to not alter records, but that appropriately dated explanations or letters may be submitted with the requested records.

With the Board's new semi-independent status and passage of other legislation we are implementing changes that will allow

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the Board to more efficiently serve the public and the profession of optometry. The license renewal and continuing optometric education reporting changes outlined in this newsletter are similar to those successfully implemented in other states. While it will take some adaptation to change to license renewal during your birth month, this will allow our staff to spread out the administrative load of license renewal and COE reporting throughout the year so that other board functions are not adversely affected twice a year.

. WARNING.

If your staff refracts, you are in violation of OAR 852-10-027(3)(4)&(5) and your staff violates ORS 683.020 and 683.180(7). You may disagree with the law and know others who do the same or worse. Whether you agree with the law or find it archaic, the Board is sworn to uphold Oregon statutes. If there is a complaint that results in the conclusion that the law was violated, the Board must take action and you are likely to be disciplined. Both you and your staff would also be subject to significant civil penalties.

Optometric practice involves close contact between doctor and patient. To avoid misunderstanding and to optimize patient satisfaction, the Board suggests:

1. When in doubt, be formal.

2. Avoid sexual joking or innuendo.
3. Concentrate on the patient's eye care needs and avoid intimate confidences.
4. Avoid physical touching, patting, or hugging.
5. Avoid slang terms. Use gender-neutral terms.
6. Leave exam door open when meeting patients.
7. Be clear about the boundaries of the doctor-patient relationship.

Administrative Rule Changes

The Board has recently adopted several rule changes which will directly affect optometrists in the state of Oregon.

Licensing and COE

Rule changes which apply to license renewal and COE reporting will be implemented in the coming renewal period. The Board will be transitioning from a calendar year renewal system to one in which licensees will apply for renewal in their birth months. In addition to changing the renewal dates, the Board has changed some of the requirements for renewal. Beginning in the year 2000, continuing optometric education will be reported each year at the time of renewal as a condition of license renewal. The Board will make the transition period as uncomplicated as possible. The goal is to simplify the license renewal and continuing education reporting processes for

licensees. The final result should be beneficial to all.

When renewal notices are sent out in October of this year, you will notice that the renewal application will include fees due for all of 1999 and a portion of 2000 (until your birth date). There will be no COE due with this renewal.

The renewal notices for the year 2000 will be for 12 months beginning in the birth month of the licensee. Each active licensee will report a prorated number of COE hours from July 1998 through 12/31/98, 15 hours of COE for 1999, plus a prorated number of hours to their birth month in the year 2000.

In years subsequent to 2000, each licensee will report 15 hours of continuing education at the time of their annual license renewal in their birth month. Any licensee who is certified to use therapeutic pharmaceutical agents must attend and report a minimum of 5 hours each year of courses which pertain to the treatment of and management of ocular disease.

To put this system into context, a licensee who has a birthday in March will receive a notice for renewal of licensure in October, 1998 which shows an amount due of \$162.50. Of this amount, \$130.00 will apply to the license year 1999, and \$32.50 will apply to the license year 2000 through the end of February. This licensee will receive a renewal notice

in the year 2000 which will indicate a payment due date of 3/1/2000 in the amount of \$130.00. At the same time, the licensee's COE hours must be reported as a condition of renewal. A minimum of 26.25 continuing education hours must be reported with the renewal application. These hours will fulfill the requirement for continuing education from 7/1/98 to 3/30/2000.

Any excess hours of approved continuing education attended which are not needed in the current license renewal period may be held over to the next license renewal period. When renewal application is made in March of 2001, the licensee will pay \$130.00 for the following 12 month and report 15 hours of continuing education.

The notices sent by the Board at renewal times will clearly indicate for each licensee the dollar amount and continuing education requirement for renewal. Any questions or concerns should be directed to the Board office.

B o a r d Information

The Board can now be reached at
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