

OREGON BOARD OF OPTOMETRY

MEMBERS:

John P. Reslock, President (Myrtle Point) Candace D. Hamel, OD, Vice President (Estacada),
Scott M. Walters, OD (Grants Pass) Michelle M. Monkman, OD (Pendleton)
John M. Doneth, CFP, Public Member (Keizer)

UPDATE

VOL.6 No.1
MAY, 2004

STAFF: David W. Plunkett, Executive Director Cathy Boudreau Kathy Hanson

From the President

John P. Reslock, O.D.

This is an exciting time to practice Optometry in Oregon. I have seen many changes in Optometry since I graduated in 1970. Tomorrow's graduates will be presented with even more exciting opportunities and educational experiences. Our schools will continue to train and prepare our future optometric physicians to practice in Oregon or whatever state they choose. As states expand their scope of practice so do the schools. They must prepare students to practice in any state. So, tomorrow's graduate will be educated beyond the scope of practice which is currently enjoyed in Oregon. Just as the schools have had to change, so has the Board of Optometry. For example, our continuing education requirements are more complicated to administer for the Board, and for optometric physicians, more complicated to understand.

My question to you is, do you know exactly when you need to send in your fees for renewal of your license?

In this issue...

Changes to Oregon Contact Lens Prescription Rules ... 2

Ethics/Oregon Law and Administrative Rules Course Due in 2005 ... 2

Don't Let Your CPR Run Out!! ... 2

Nontopical TPA Update ... 3

Last Injection Lab To Be Held in October ... 3

From the Executive Director ... 3

NEW OBO Website Information ... 4

Investigation Activities ... 4

Report of Board Activities . 5

[OAR 852-050-0006(2)] If you are licensed for nontopical TPA's, do you know what you need to send in with your renewal fee besides your education hours? [OAR 852-050-0006(3)(d)] Do you know how many hours are required every year? [OAR 852-070-0010(1)] Do you know how many of these hours need to be in the area of diagnosis, treatment and management of

ocular disease? [OAR 852-070-0010(1)(a)] As you can see, as our scope of practice has expanded, so have our educational requirements.

As one might suspect, being on the Board of Optometry is not always enjoyable because our mission is to protect the people of Oregon from the dangers of unqualified and improper practice of Optometry in accordance with Oregon law. To have complaints against a fellow optometric physician is awkward and hard to deal with for me. When a complaint reaches the Board of Optometry, it is usually because the patient feels they were wronged. Most complaints, after a thorough investigation, result in a finding of no optometric error, with no violation of our law and administrative rules. Usually there appears to be a breakdown in communication between the doctor and patient. These complaints are frequently resolved by our executive director, David Plunkett and his staff. As optometry in Oregon has progressed to allow more comprehensive and efficient care for our patients, so has the need for us to keep up both our clinical skills and patient relationship skills.

Changes to Oregon Contact Lens Prescription Rules

The Board adopted changes to OAR 852-020 effective March 8, 2004. These changes were prompted, in part, by the FTC regulations recently enacted regarding contact lens prescriptions. While the rules in Oregon were, for the most part, already in agreement with the FTC regulations, the Board clarified the standard for optometrists in our state. If you comply with the Board's administrative rules you should also be in compliance with the federal regulations.

A written contact lens prescription must be immediately released to a patient when the physician is clinically willing to order contact lenses for a patient. All contact lens prescriptions must be written so that they can be filled by the office or outlet of the patient's choice. Branded lenses - those lenses with names associated with only one office or group of offices - are not acceptable. A seller of contact lenses may not alter a contact lens prescription, but may fill the prescription with an equivalent product that they know is manufactured by the same company and sold under another label.

A contact lens prescription must have a reasonable and clinically prudent expiration date. FTC regulations stipulate that the date must be at least one year from the time of prescription release, unless the patient's eye health warrants a shorter period and that can be

clinically documented. The prescription need not be limited to only one year.

An optometric physician may not require purchase of contact lenses as a condition of prescription release. Nor may they require payment in addition to, or as a part of, the fee for any eye examination, fitting and evaluation. A patient must not be required to sign a waiver or release as a condition of releasing or verifying a contact lens prescription.

Optometric physicians should review OAR 852-020-0029 and 0031 to ensure that their contact lens prescription policies meet these standards.

Ethics/Oregon Law and Administrative Rules Course - Due in 2005

Beginning with license renewal in January, 2005, and every other year thereafter, each active status licensee must prove attendance at one hour of either a Board approved ethics course or Oregon Law and Administrative Rules course as a condition of renewal. There should be several sources for obtaining this credit. Pacific University School of Optometry is preparing both an ethics course and a Law and Administrative Rules course which will be available online. They plan to offer a live course as well before the end of 2004. The Oregon Optometric Physicians Association also has plans to offer courses, both in workshop and internet format.

The Oregon Board of Optometry plans to offer the administration of the Law and Administrative Rules exam online, which will also satisfy the requirement. This would involve self-study of the law and administrative rules on the part of the licensee and the ability to take the exam online.

As continuing education providers make courses available, and they are approved, these will be posted on the Board's website at the link: "Continuing Education Reviewed by the Board". COPE approved courses that are categorized "Ethics" are also acceptable. Active status licensees should plan ahead in order to complete their course prior to the 2005 renewal.

Don't Let Your CPR Run Out!!

If you are currently certified by the Board to use, administer, and prescribe from the nontopical formulary, you are required to maintain a current CPR certification based on the American Heart Association BLS Healthcare Provider course or its equivalent. Proof of a current CPR certification must be provided with your annual renewal in order to maintain your "AT" status. If your CPR certification expires during the renewal period, you must show evidence of recertification. Send the Board a copy of your new CPR card immediately after recertification occurs. Once your CPR certification expires, then your AT certification by the Board will also expire as you will no longer meet the requirements. If you continue to practice using the nontopical formulary without

3 Oregon Board of Optometry

current CPR certification, you will be subject to disciplinary action by the Board.

Nontopical TPA Update

To date, 401 optometrists have taken coursework toward certification to use, administer, and prescribe the agents on the nontopical formulary. Two hundred forty-five of those have completed the certification process.

PLEASE NOTE: Certification does not automatically occur upon completion of the didactic and lab course. In order to be certified, one must complete the "Application for Examination and Licensure for Certification to Use Nontopical Pharmaceutical Agents" which can be found on the Board's webpage at www.oregonobo.org (this is a new address). The application should be sent to the office of the Board with copies of documentation of completion of the required coursework, a copy of a CPR certification for an approved course, and the appropriate fee. If you fail to obtain the proper certification from the Board prior to the administration, use, and prescription of the nontopical formulary, you will be subject to disciplinary action by the Board.

The Oregon Optometric Physicians Association is sponsoring the required coursework for certification in conjunction with Pacific University College of Optometry.

Last Injection Lab To Be Held in October

Since October, 2002, Oregon Optometric Physicians Association and Pacific University have presented the coursework required to become certified to use, administer, and prescribe Oregon's optometric nontopical formulary. There have been two presentations of the twenty-three hour didactic course and several presentations of the eight-hour injection lab. OOPA plans to present the injection lab, probably for the last time, in October, 2004 at the GWCO conference. The registration form for the workshop will be available soon at the O O P A website at www.oregonoptometry.org. At this time, there are no plans to present the didactic course again. Doctors who need to satisfy the twenty-three hour didactic requirement may take the Treatment and Management of Ocular Disease portion of the NBEO examination. A passing score on the 2002 or later exam will substitute for the didactic course.

There are currently about twenty-two individuals who have taken the didactic course but have not completed the injection lab. There are also doctors who have passed the 2002 or later TMOD and have not completed the required injections training. There will be 2004 optometry graduates who will be registering for the class because they did not complete the injections training within their curriculum. There are a limited number of spaces available at the injection lab. The Board

May, 2004

recommends that interested doctors complete their training while the courses are available, and to apply for certification with the Board prior to using the nontopical formulary in their practice.

From the Executive Director

David Plunkett

We at the Board office have been giving some thought about communications with our practitioners. We are again reminded of this as we prepare this newsletter and the latest administrative rules that the Board has promulgated for mailing. Having the ability to better utilize email would certainly speed up, as well as greatly reduce, the cost of communications. Currently, the Board does not maintain email addresses for licensees. If the Board maintained current email addresses on all licensees, we could send out newsletters, notices of proposed rule changes, and potentially even license renewal applications by email.

Some of you may not realize that the Board's staff only consists of a full-time executive director and two part-time administrative assistants (2.2 FTE). The Board and its staff are always looking at costs and ways to minimize them to create efficiencies. However, we are just as concerned with how effective we are with these resources. There have been many times in the past that the Board wanted to do more in the way of communications with practitioners

but did not do so because of the costs involved.

We have received a few requests from practitioners to allow them the ability to use a credit card for the payment of fees to the Board. It's possible that if this function was developed by the Board's office, it could be used as part of the license renewal process also.

I would greatly appreciate hearing from you regarding the following: (1.) your willingness to provide the Board with a current email address so that we can utilize this tool for increased communications with minimal cost to the Board, and (2.) your interest in using a credit card for the payment of fees for license renewals, applications, examinations or certifications. Please email me at david@oregonobo.org.

NEW OBO Website Information

The Board has a new webpage location. The address is www.oregonobo.org. The staff email addresses have also changed as follows:

David Plunkett -

david@oregonobo.org

Kathy Hanson -

kathyh@oregonobo.org

Cathy Boudreau -

cathyb@oregonobo.org

Oregon Board of Optometry -

board@oregonobo.org

Information regarding the recent changes to the Oregon Administrative Rules are currently posted on the Board's website at www.oregonobo.org. In addition, applications for licensure and

various certifications, past newsletters, the Board's financial information, continuing education which has been approved by the Board, and links to other sites of interest to the profession of Optometry are accessible at the Board's site.

The Board welcomes suggestions for additions or improvements to the webpage.

Investigation Activities

In the first quarter of 2004, The Board reviewed 15 complaint cases. They resolved and closed 6 of these. None of the cases resulted in discipline.

REPORT OF BOARD ACTIVITIES

JANUARY 2004 through APRIL 2004

LICENSING ACTIVITIES:	
ACTIVE LICENSEES	645
ACTIVE ATPA	245
ACTIVE TPA	385
ACTIVE DPA (ONLY)	15
INACTIVE/MILITARY LICENSEES	564
INACTIVE/MILITARY ATPA	2
INACTIVE/MILITARY TPA	304
INACTIVE/MILITARY DPA (ONLY)	218
INACTIVE/MILITARY NO TPA/DPA	40
TOTAL LICENSEES	1209
OTHER ACTIVITIES:	
APPLICATIONS FOR LICENSE RECEIVED	8
NEW LICENSES ISSUED	5
BY EXAMINATION	5
BY ENDORSEMENT	0
REACTIVATIONS/REINSTATEMENTS OF LICENSE	2
ATPA CERTIFICATIONS	48
TPA CERTIFICATIONS	1
ACTIVE LICENSEES	0
INACTIVE LICENSEES/MILITARY	1
LICENSE VERIFICATIONS COMPLETED	35
CE COURSES APPROVED/ENTERED	38
BOARD MEETING DAYS	2
COMPLAINTS:	
INFORMAL COMPLAINTS HANDLED BY STAFF	18
NEW FORMAL COMPLAINTS RECEIVED BY STAFF	10
FORMAL COMPLAINTS REVIEWED BY BOARD	18
NEW COMPLAINTS REVIEWED BY BOARD	7
COMPLAINTS RESOLVED AND CLOSED BY BOARD	6
DISCIPLINARY ACTION	0
NO DISCIPLINARY ACTION	6