

## TO BE RESCINDED

4726-3-06

**Definitions.**

- (A) "Optical Aid" means an instrument or device prescribed by a physician or optometrist licensed by any state to correct human vision, including spectacles, eyeglasses, contact lenses and accessories.
- (B) "Optical Dispensing" means interpreting but not altering a prescription of a licensed physician or optometrist and designing, adapting, fitting, or replacing the prescribed optical aids, pursuant to such prescription, to or for the intended wearer; duplicating lenses, other than contact lenses, accurately as to power without a prescription; and duplicating nonprescription eyewear and parts of eyewear. "Optical Dispensing" does not include selecting frames, transacting a sale, transferring an optical aid to the wearer after an optician has completed fitting it, or providing instruction in the general care and use of an optical aid, including placement, removal, hygiene, or cleaning.
- (C) "Licensed Dispensing Optician" means a person holding a current, valid license issued by the board that authorizes the person to engage in optical dispensing.
- (D) "Licensed Spectacle Dispensing Optician" means a licensed dispensing optician authorized to engage in the dispensing of optical aids other than contact lenses.
- (E) "Licensed Contact Lens Dispensing Optician" means a licensed dispensing optician authorized to engage only in the dispensing of contact lenses.
- (F) "Licensed Spectacle-Contact Lens Dispensing Optician" means a licensed dispensing optician authorized to engage in the dispensing of any optical aid.
- (G) "Licensed Ocularist" means a person holding a current, valid license issued under sections 4725.48 to 4725.51 of the Revised Code to engage in the practice of designing, fabricating, and fitting artificial eyes or prostheses associated with the appearance or function of the human eye.
- (H) "Apprentice Ocularist" means a person training under the direct supervision of a licensed ocularist, to engage in the designing, fabricating, and fitting of artificial eyes or prostheses associated with the appearance or function of the human eye.
- (I) "Apprentice Optician" means any person registered with the board for the purpose of being able to dispense optical aids under the "direct supervision" of a licensed dispensing optician.

- (J) "Prescription" means the written or verbal directions or instructions as specified by a physician or optometrist licensed by any state for preparing an optical aid for a patient.
- (K) "Direct Supervision." No licensed dispensing optician or ocularist shall permit any apprentice to work under him/her unless under direct supervision. "Direct Supervision" means that a licensed dispensing optician or a licensed ocularist, as applicable, shall be in the optical or ocularist area at all times when an apprentice is engaged in optical dispensing or ophthalmology. Nothing herein shall preclude such licensed dispensing optician or licensed ocularist from being absent from the optical area for a reasonable period during the working day, such as for lunch and other customary absences although the apprentice shall not engage in optical dispensing in the absence of a licensed dispenser or ocularist, as applicable.
- (L) "Optical or Ocularist Area" is the space reserved for the optical or ocularist department or shop. This includes the lab area, fitting area, dispensing area, reception area and waiting area. This does not include areas of larger company or building where the optical department or shop is leased or confined to its own space.
- (M) "Good Moral Character" means proof from at least two individuals in the form of a written statement attesting to the individual's good standing in the community, said statement to be based on an acquaintanceship of not less than three years.
- (N) "An Educational Equivalent" means the proof of having successfully passed the GED examinations or a GED certificate of high school equivalency diploma.
- (O) "Academic Hour" means a continuing education program that is forty-eight to sixty minutes in length.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.40  
Prior Effective Dates: 11/29/79, 8/4/94(Emer.), 3/18/95, 8/9/02



**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

Agency Name

Division

**Nancy Manns**

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**77 South High Street 16th floor Columbus OH  
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**4726-3-06**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Definitions.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4725.44**

5. Statute(s) the rule, as filed, amplifies or implements: **4725.40**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Rescinding the rule

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Definitions used throughout the law and rules regulating opticianry and ocularistry.

8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other materials by reference.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: 1/14/2011

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase** /

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



## TO BE RESCINDED

4726-5-02

**Registration as an apprentice.**

- (A) All unlicensed persons upon becoming employed for the purpose of dispensing optical aids or in the practice of designing, fabricating, and fitting artificial eyes or prostheses associated with the appearance or function of the human eye, shall register annually with the board as an apprentice optician or ocularist. Such registration shall occur within thirty days of employment. Registration shall expire on the last day of June of each year.
- (1) Persons desiring to take the board examination for spectacle dispensing shall serve their apprenticeship under the direct supervision of a licensed spectacle dispensing optician or a licensed spectacle-contact lens dispensing optician.
  - (2) Persons desiring to take the board examination for contact lens dispensing shall serve their apprenticeship under the direct supervision of a licensed contact lens dispensing optician or a licensed spectacle-contact lens dispensing optician.
  - (3) Persons desiring to take the board examinations for both spectacle dispensing and contact lens dispensing shall serve their apprenticeship according to the provisions of paragraphs (A)(1) and (A)(2) of this rule.
- (B) Persons registering to become qualified to take the ocularist examination for licensure shall serve their apprenticeship under the direct supervision of a licensed ocularist.
- (C) All licensed dispensing opticians or licensed ocularist engaged in the education and training of apprentices shall cause their apprentices to become registered by the board. No licensed dispensing optician or licensed ocularist engage in training apprentices shall supervise more than three apprentices at any one time.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.52  
Prior Effective Dates: 11/29/79, 8/4/94(Emer.), 10/14/94, 4/10/01

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

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**4726-5-02**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Registration as an apprentice.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.52**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding Rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:  
Process for registration of apprentices
8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

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10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

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11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **1/14/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase /**

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



## TO BE RESCINDED

4726-11-01

**Continuing education requirements.**

- (A) Each spectacle dispensing optician shall have completed four hours of board approved spectacle continuing education credit during the last preceding year, of which only one management hour may be used.
- (B) Each contact lens dispensing optician shall have completed eight hours of board approved contact lens continuing education credit during the last preceding year, of which only two management hours may be used.
- (C) Each spectacle-contact lens dispensing optician shall have completed four spectacle and eight contact lens hours of board approved continuing education credit during the last preceding year, of which only three management hours may be used.
- (D) Each ocularist shall have completed four hours of board approved continuing education credit, during the last preceding year. One hour shall be on communicable diseases as they apply to the handling of ocular prostheses, only one hour per year may be management credit, and all other credit hours must pertain to the fitting and fabrication of ocular prostheses.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.51  
Prior Effective Dates: 11/29/79, 11/10/94, 4/10/01

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

Agency Name

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**4726-11-01**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Continuing education requirements.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.51**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:  
Continuing Education requirements for licensure renewal.
8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

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11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **1/14/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

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### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase /**

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



## TO BE RESCINDED

4726-11-02

**Board approval of continuing education programs.**

- (A) No seminar will be approved for continuing education credit unless the board is provided with an outline of the program content, the names and background information of speaker(s), and the schedule of the seminar. All information shall be submitted not less than sixty days prior to the date of the proposed program. The board may approve seminars submitted less than sixty days if accompanied by a letter explaining the reason for not meeting the deadline.
- (B) Programs shall relate to the practice of opticianry, or ocularistry, as applicable. Courses relating to practice management, office procedure, social legislation, and all courses not directly relating to optical dispensing or ocularistry will be considered for management credit.
- (C) Speakers, lecturers and others participating in the presentation of the programs shall be recognized as possessing requisite qualifications and being expert and of recognized repute in their area of instruction.
- (D) Programs shall be available to any Ohio licensed dispensing optician, and/or licensed ocularist.
- (E) The board shall not approve continuing education credit for any of the following:
- (1) The seminar content includes the promotion of commercial products or services for the practice of opticianry or ocularistry;
  - (2) The seminar is open only to employees, associates, or owners of the sponsoring entity, and is not open to all opticians and apprentices.
  - (3) The subject content of the courses is not pertinent to the study of opticianry, or ocularistry, as determined by the board on a case by case basis.
- (F) Credit will be allowed on the basis of an academic hour, as that term is defined in paragraph (N) of rule 4726-3-06 of the Administrative Code. To receive an hour credit, one must attend one full academic hour. There will be no fractional hour credits.
- (G) Within thirty days after the date of the approved seminar, the seminar sponsor shall submit to the board a master list of the attendees.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.51  
Prior Effective Dates: 11/29/79, 8/4/94(Emer), 11/2/94, 11/20/94, 10/4/02

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

Agency Name

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**4726-11-02**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Board approval of continuing education programs.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.51**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:  
Process for Board approval of continuing education
8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

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10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

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11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **1/14/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase /**

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



## TO BE RESCINDED

4726-11-03

**Licensees requesting an extension or waiver of the continuing education requirements.**

Persons who cannot meet the continuing education requirements within ninety days from the date their licenses expire because of hardship, illness, or service in the armed forces, may apply to the board for either an extension of the deadline or a waiver of the requirement. Such applicant shall indicate the reasons for the request. The board shall grant or refuse the request on a case by case basis.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.51  
Prior Effective Dates: 11/29/79, 8/4/94(Emer), 10/14/94

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

Agency Name

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**4726-11-03**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Licensees requesting an extension or waiver of the continuing  
education requirements.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.51**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Grants extensions and waivers for continuing education required for licensure renewal

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

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11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: 1/14/2011

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

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### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



TO BE RESCINDED

4726-11-04

**Continuing education requirements excused.**

Each licensee is excused from the requirements of continuing education credit for the calendar year in which they obtain a license from this board.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.51  
Prior Effective Dates: : 11/29/79, 8/4/94(Emer.), 10/14/94, 4/10/01

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

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**4726-11-04**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Continuing education requirements excused.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.51**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:  
Waiver of continuing education requirements for first renewal
8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other materials by reference.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: 1/14/2011

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase** /

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



## TO BE RESCINDED

4726-17-01            **License displayed.**

Each licensed dispensing optician, and licensed ocularist, shall display their certificate of licensure, and each registered apprentice their registration card, in a conspicuous place at their place of business. If a licensed dispensing optician or licensed ocularist engages in dispensing at more than one place of business, they shall display a duplicate copy of such certificate obtained from the board at each location.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.50  
Prior Effective Dates: 11/29/79, 8/4/94(Emer.), 10/14/94, 4/10/01

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

Agency Name

Division

**Nancy Manns**

Contact

**77 South High Street 16th floor Columbus OH  
43215-6108**

Agency Mailing Address (Plus Zip)

**614-466-9707**

Phone

Fax

**4726-17-01**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**License displayed.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.50**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:  
Outlines requirements for display of licensure
8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other materials by reference.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **1/14/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase /**

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**



## TO BE RESCINDED

4726-17-02

**Proper identification.**

All licensed dispensing opticians, and licensed ocularists, shall wear, and cause any apprentice under their supervision to wear, an identifying badge with their name and the designation of either: licensed dispensing optician, apprentice optician, licensed ocularist, or apprentice ocularist, as is appropriate to their status.

Effective:

R.C. 119.032 review dates: 01/14/2011

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 4725.44  
Rule Amplifies: 4725.52  
Prior Effective Dates: 11/29/79, 8/4/94(Emer.), 10/14/94, 4/10/01

**Rule Summary and Fiscal Analysis (Part A)****Ohio Optical Dispensers Board**

Agency Name

Division

**Nancy Manns**

Contact

**77 South High Street 16th floor Columbus OH  
43215-6108**

Agency Mailing Address (Plus Zip)

**614-466-9707**

Phone

Fax

**4726-17-02**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Proper identification.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4725.44**
5. Statute(s) the rule, as filed, amplifies or implements: **4725.52**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  
Rescinding rule
7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:  
Requirements for licensees and apprentices to wear an indentifying badge
8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other materials by reference.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **1/14/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase /**

**decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

