

4726-7-01

Definitions.

As used in this chapter:

- (A) "Active license" means the status of the license held by an optician or an ocularist who has fulfilled all requirements of the board for initial licensure or for licensure renewal.
- (B) "Active registration" means the status of the apprentice registration held by an apprentice optician or apprentice ocularist who has fulfilled all requirements of the board for initial apprentice registration or for apprentice registration renewal.
- (C) "Extension" means the time period beyond the ninety-day grace period granted by the board to allow a licensee an additional specified time to meet the continuing education requirements for licensure renewal without being required to re-take the national qualifying exam. All requests to the board for an extension must be submitted in writing to the board on or before December thirty-first. Extensions will be granted by the board on a case-by-case basis. Individuals may not engage in the practice of optical dispensing or ocularistry until all requirements for renewal have been met and a current, valid license is on display at the place of optical dispensing or ocularistry.
- (D) "Grace period" means the period of ninety-days from the expiration of a license in which the licensee may submit a renewal application, proof of meeting the continuing education requirements for renewal, and the lapsed fee of seventy-five dollars without being required to re-take the national qualifying exam. Individuals may not engage in the practice of optical dispensing or ocularistry until all requirements for renewal have been met and the current, valid license is on display at the place of optical dispensing or ocularistry.
- (E) "Lapsed license" means the status of the license of a dispensing optician or ocularist who has failed to fulfill all requirements of licensure renewal.
- (F) "Lapsed registration" means the status of the apprentice registration of an apprentice optician or apprentice ocularist who failed to fulfill all requirements of registration renewal.
- (G) "Lapsed fee" or "penalty fee" means the seventy-five dollar fee to restore a license that was not renewed prior to the expiration of the license.
- (H) "Reporting period" means the first of January through the thirty-first of December.
- (I) "Waiver" means the suspension granted by the board of the requirements for continuing education and/or lapsed fees for the renewal of a license in accordance with rules of this chapter.

Replaces: 4726-11-01, 4726-11-03, 4726-11-04

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4725.44
Rule Amplifies: 4725.47(C), 4725.51, 4725.52
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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Nancy Manns

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4726-7-01

Rule Number

NEW

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? **No**

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: **4725.47(C), 4725.51, 4725.52**

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

Five year rule review and organization of like chapters

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 and clarifies requirements of licensure and apprentice registration 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:

Not Applicable.

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:

(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.

\$0.00

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**

4726-7-02

Licensure renewal requirements.

- (A) Each licensed optician and each licensed ocularist who has received a license to practice optical dispensing or ocularistry shall renew his/her respective license on an annual basis and pay a non-refundable fee of one hundred dollars made payable to the treasurer, state of Ohio postmarked on or before December thirty-first of each year. Such renewal shall be made on forms in a manner prescribed by the board.
- (B) At least thirty days prior to the expiration of a license, the board shall send notification of renewal to every licensee to whom a license was issued or renewed during the current period. Failure to receive the board's notification of renewal shall not excuse the licensee from the renewal requirements.
- (C) Each licensee shall complete the license renewal application and supply all information necessary to process the application. Upon receipt and acceptance of the renewal fee, renewal application, and the required proof of continuing education as outlined in this chapter, the board shall mail a current, valid license to the licensee no later than thirty days after acceptance.
- (D) Licensees applying for their first initial renewal shall be exempt from reporting continuing education credit.
- (E) Any incomplete paper renewal may be returned to the licensee indicating the reason for such return. If the paper renewal application is not returned to the board postmarked on or before December thirty-first of the renewal year, the license shall be placed on lapsed status.
- (F) Failure to meet all requirements for renewal of a license prior to January first results in the forfeiture of the licensee's right to practice optical dispensing or ocularistry in the state of Ohio until all requirements for renewal are met and the current, valid license is on display at the place of optical dispensing or ocularistry.
- (G) Continuing education requirements for renewal of a current, valid license, except for those licensees applying for their first initial renewal, are as follows:
- (1) Each licensed spectacle dispensing optician shall have completed four hours of board-approved spectacle continuing education credit between January first and December thirty-first of the year of the expiration date, of which only one management hour may be used.
 - (2) Each licensed contact lens dispensing optician shall have completed eight hours of board-approved contact lens continuing education credit between January first and December thirty-first of the year of the expiration date, of which only two management hours may be used.
 - (3) Each licensed spectacle-contact lens dispensing optician shall have completed four spectacle hours of board-approved continuing credit between January first and December thirty-first of the year of the expiration date, one of which

may be a management hour, and eight contact lens hours, two of which maybe management hours, obtained during the last preceding year.

- (4) Each licensed ocularist shall have completed four hours of board-approved continuing education credit between January first and December thirty-first of the year of the expiration date. One hour of board-approved continuing education shall be on communicable diseases as they apply to the handling of ocular prostheses. Only one hour per year may be management credit. All other credit hours must pertain to the fitting and fabrication of ocular prostheses.

Replaces: 4726-11-01, 4726-11-03, 4726-11-04, 4726-13-01

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4725.44
Rule Amplifies: 4725.51, 4725.52
Prior Effective Dates: 11/29/79, 8/4/94(Emerg.), 10/14/94, 4/10/01, 4/4/03

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

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4726-7-02

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Licensure renewal requirements.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

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, 4725.52**

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

Five year rule review and orgnaization of like rules in the same chapter.

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 and clarifies licensure renewal requirements for licensed opticians and ocularists.

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:

Not Applicable.

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:

(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 increase revenues.

\$16,000.00 per biennium

An increase of \$2.50 per license renewal from \$97.50 to \$100 (2.5% increase) for licensure renewal would increase the Board's revenue approximately \$8,000/year.

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:

Each licensee, approximately 3200 opticians and ocularists, would pay an additional \$2.50 each annual renewal. This only a 2.5% increase. The renewal fees have not been raised since 2003.

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**

4726-7-03

Extension and waivers.

(A) The board may grant a waiver of continuing education and/or lapsed fees only for the following reasons:

(1) Hardship;

(2) Illness; or

(3) Military service.

(B) Each person who holds a current, valid license and is actively serving in the armed forces of the United States may apply to the board on or before December thirty-first for an extension of the grace period by sending a written request for the extension along with the following:

(1) The renewal fee of one hundred dollars in the form designated by the board;

(2) A copy of the orders mobilizing the licensee to active duty; and,

(3) Orders indicating the length of active duty.

(C) Upon receipt and review by the board or its designee of the documents as described in paragraph (B) of this rule, the board shall extend the current reporting period for proof of continuing education by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period in accordance with section 5903.12 (B) of the Revised Code.

(D) The board maintains the right to grant or refuse requests for an extension or for a waiver on a case-by-case basis.

Replaces: 4726-11-01, 4726-11-3, 4726-11-04

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4725, 44
Rule Amplifies: 4725.52
Prior Effective Dates: 11/29/79, 8/4/94 (emerg.), 110/14/94, 4/10/01

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

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4726-7-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Extension and waivers.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

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:

Five year rule review

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 obtaining an extension or waiver of 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:

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:

Not Applicable.

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:

(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.

\$.00

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**

4726-7-04

Apprentice registration renewal.

- (A) Each registered apprentice optician who has received a registration to engage in the practice of opticianry or ocularistry as an apprentice optician or apprentice ocularist shall renew his/her respective apprenticeship on or before June thirtieth and pay a non-refundable fee of ten dollars in a form as prescribed by the board.
- (B) At least thirty days prior to the expiration of the apprenticeship, the board shall send notification of renewal to every registered apprentice to whom a registration was issued or renewed during the current period. Failure to receive the board's notification of renewal shall not excuse the apprentice from the renewal requirements.
- (C) Each registered apprentice shall complete the apprentice registration renewal application and supply all information necessary to process the application and the renewal fee of ten dollars. Upon receipt and acceptance of the renewal fee and the completed renewal application, the board shall mail a current, valid registration card to the apprentice no later than thirty days after acceptance.
- (D) An incomplete renewal may be returned to the apprentice indicating the reason for such return. If the renewal application is not returned to the board postmarked on or before June thirtieth, the registration will be placed on lapsed status.
- (E) Failure to renew an apprentice registration results in the forfeiture of the apprentice's right to engage in the apprenticeship training process as an apprentice optician or apprentice ocularist until all requirements for renewal are met and the current, valid registration card is on display at the place of the practice of optical dispensing or ocularistry as an apprentice.

Replaces: 4726-5-02, 4726-13-01

Effective:

R.C. 119.032 review dates:

Certification

Date

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

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

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4726-7-04

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Apprentice registration renewal.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

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:

Five year rules review

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 and clarifies the processes for renewal of the apprentice registration.

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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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:

Not Applicable.

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:

(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.

\$0.00

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**

