

4726-9-01

**Definitions.**

As used in this chapter:

- (A) "Academic hour" means forty-eight to sixty minutes of continuing education.
- (B) "Conference" means the same as "seminar:" a meeting of members for discussing matters of common concern and an exchange of views and information for the purpose of exploring a subject.
- (C) "Continuing education" means a planned learning activity that builds upon a licensee's pre-licensure education and apprenticeship which enables the license holder to acquire or improve skills, knowledge, or behavior that promotes professional and technical development and advances the licensee's career goals.
- (D) "Program" means the presentation of the approved content of individual courses of a seminar/conference.
- (E) "Proof of completion" means a legible copy of the continuing education certificate which verifies that the licensee has satisfactorily completed approved continuing education.
- (F) "Sponsor" means the planner of the conference, seminar, or program.

Effective:

R.C. 119.032 review dates:

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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

Division

**Nancy Manns**

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**4726-9-01**

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: **4725.51**
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:  
Definitions of terms used throughout Chapter 4726-9
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

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**



4726-9-02

**Application for approval of continuing education.**

- (A) Applications for approval of continuing education shall be submitted on a form as designated by the board not less than sixty days prior to the date of the proposed program. The application shall include, but is not limited to:
- (1) Sponsor name and sponsor contact information;
  - (2) Registration information;
  - (3) Speaker credentials indicating that the speaker or presenter possesses requisite qualifications and expertise in the area of instruction;
  - (4) Course start and end times;
  - (5) Summary of the types of hours requested;
  - (6) Presentation format and course outline;
  - (7) A copy of the proof of completion certificate which includes the following information:
    - (a) Space for the printed name and signature of the licensee and license number;
    - (b) Title and date of the program;
    - (c) Name of the provider; and,
    - (d) The number and type of hours earned.
- (B) All continuing education shall relate to the practice of opticianry or ocularistry as applicable and in accordance with rules of this chapter.
- (C) Continuing education related to practice management, office procedures, social legislation and any other courses not directly relating to optical dispensing or ocularistry may be considered for management credit.
- (D) Programs shall be made available to any Ohio licensed dispensing optician or licensed ocularist.
- (E) Credit will be awarded on the basis of an academic hour. To receive an hour credit one must attend one full academic hour. No fractional hour shall be awarded.

Effective:

R.C. 119.032 review dates:

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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, 8/14/94(Emerg.), 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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**4726-9-02**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Application for approval of continuing education..****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**
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 and clarifies the process for application for approval by the Board of continuing education programs.

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

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**



4726-9-03

**Education activities that meet and educational activities that do not meet the continuing education requirements.**

(A) Any of the following may be used by a licensed optician or licensed ocularist to satisfy the continuing education requirements set forth in section 4725.51 of the Revised Code and this chapter of the Administrative Code:

- (1) A continuing education activity which has been approved by the board;
- (2) A continuing education activity which has been approved by a nationally recognized accreditation system of continuing education for opticians or ocularists:
  - (a) American Board of Opticianry (ABO);
  - (b) National Contact Lens Examiners (NCLE).

(B) The following activities shall not be used by a licensed optician or licensed ocularist to satisfy the continuing education requirements of 4725.51 of the Revised Code and this chapter of rules:

- (1) Repetition of any education activity with identical content and course objectives within a single reporting period;
- (2) An agency specific orientation or in-service program;
- (3) A self-directed independent study such as reading of texts or journal articles which has not been approved by the board as an independent study;
- (4) Participation in clinical practice which is not part of an approved continuing education activity;
- (5) A personal development activity;
- (6) Professional meetings or conventions except for those portions designated as a board-approved continuing education activity;
- (7) Community service or volunteer practice;
- (8) Continuing education ordered by the board pursuant to disciplinary action;
- (9) Membership in an opticianry or ocularistry organization; or,
- (10) Any other as determined by the board.

Replaces: 4726-11-02

Effective:

R.C. 119.032 review dates:

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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 (Emerg.), 11/2/94, 11/20/94, 10/4/02

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Agency Name

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**4726-9-03**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Education activities that meet and educational activities that  
do not meet the continuing education requirements.****RULE SUMMARY**

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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 and clarifies processes 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:

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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

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