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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Debbie Morgan  
Department of Commerce Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** November 25, 2019

**RE:** Filed Permanent Regulations: Department of Commerce Community and Economic Development

Department of Commerce, Community, and Economic Development Regulation re:  
Occupational Licensing - Dispensing Optician Licensing (12 AAC 30.070 - .990)

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Attorney General File:	2019200711
Regulation Filed:	11/25/2019
Effective Date:	12/25/2019
Print:	232, January 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis  
Sher Zinn, Regulations Specialist

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached eleven pages of regulations, dealing with license and registration requirements, continuing competency requirements, and repeal of outdated regulations, for dispensing opticians and apprentices, regulated by the Department of Commerce, Community, and Economic Development, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community and Economic Development adopts under the authority of AS 08.01.100, AS 08.71.055, AS 08.71.080, AS 08.71.090, AS 08.71.110, AS 08.71.130, AS 08.71.145, AS 08.71.160, AS 08.71.163, and AS 08.71.165, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE:

17 Oct 19  
Juneau, Alaska

  
Sara Chambers, Director  
Division of Corporations, Business and  
Professional Licensing

April Simpson for

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on November 25, 2019 at 2:57 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
for Kevin Meyer, Lieutenant Governor

Effective: December 25, 2019.

Register: 232. January 2020.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,  
designate the following state employees to perform the Administrative Procedures Act  
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on December 11th,  
2018.**



*K-Meyer*

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

Chapter 30 heading is changed to read:

**Chapter 30. [BOARD OF] Dispensing Opticians**

12 AAC 30.070 is repealed and readopted to read:

**12 AAC 30.070. License by examination.** (a) An applicant for a license by examination shall submit

- (1) a completed application on a form provided by the department;
- (2) the application and license fees established in 12 AAC 02.200;
- (3) documentation of the ~~required~~ training or work experience required by

AS 08.71.110 by providing

(A) verification of training as described by AS 08.71.110(a)(2)(A) and 12 AAC 30.120, on a form provided by the department, sent directly from the licensed physician, optometrist, or dispensing optician who supervised the applicant; or

(B) verification of work experience described by AS 08.71.110(a)(2)(B), on a form provided by the department, ~~sent directly from the licensed physician, optometrist, or dispensing optician who supervised the applicant;~~

(4) verification of passing the applicable examination under AS 08.71.090, sent directly to the department from the American Board of Opticianry or the National Contact Lens Examiners;

(5) verification that the applicant has passed the applicable course described in 12 AAC 30.075, sent directly from the National Academy of Opticianry or Contact Lens Society of America; and

(6) a complete authorization for release of records form.

(b) An applicant for a license by examination under this section may submit official transcripts, sent directly to the department from the issuing school or college of opticianry, documenting the degree requirements of AS 08.71.110(b) as a substitute for the requirements of (a)(3) and (5) of this section. (Eff. 5/22/83, Register 86; am 10/1/88, Register 107; am 5/20/93, Register 126; am 5/1/97, Register 142; am 1/5/2002, Register 161; am 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.110

The section heading of 12 AAC 30.075 is changed to read:

**12 AAC 30.075. Approved [BOARD-DESIGNATED] course.**

12 AAC 30.075(a)(1) is amended to read:

(1) spectacles shall submit verification of completion of the **Ophthalmic Career Progression Program (OCP)** [CAREER PROGRESSION PROGRAM (CPP)] sponsored by the National Academy of Opticianry (NAO) or another **department-approved** [BOARD- APPROVED] program that the **department** [BOARD] determines is equivalent;

12 AAC 30.075(b) is repealed:

(b) Repealed 12 / 25 / 2019. (Eff. 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.110

**Editor's note:** Information on the **Ophthalmic** Career Progression Program may be obtained from the National Academy of Opticianry, 8401 Corporate Drive #605, Landover, Maryland 20785; **telephone: (800) 229-4828; website** [OR] at www.nao.org. Information on the Contact Lens Manual: Volume 1, A Comprehensive Study and Reference Guide may be obtained from the Contact Lens Society of America **2025 Woodland Drive, St. Paul, Minnesota 55125-2998** [441 CARLISLE DRIVE, HERNDON, VIRGINIA 20170]; telephone: **(800) 296-9776** [(703) 437-5100]; e-mail: **clsa@clsa.info** [CLSA@PATRIOT.NET]; **website at www.clsa.info**.

12 AAC 30.100(3) is amended to read:

(3) verification of a current license to practice as a dispensing optician issued by another licensing jurisdiction that meets the requirements of AS 08.71.145; <sup>acceptable</sup> ~~the verification~~ may include documentation that demonstrates <sup>^</sup> ~~must show~~ the applicant passed the applicable examination under AS 08.71.090; [AND]

12 AAC 30.100(5) is amended to read:

(5) verification of **work experience or** training equivalent to that required by AS 08.71.110(a)(2); **and** [.]

12 AAC 30.100 is amended by adding a new paragraph to read:

(6) a complete authorization for release of records form. (Eff. 4/22/83, Register 86; am 8/20/87, Register 103; am 5/25/2000, Register 154; am 6/22/2003, Register 166; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.145

12 AAC 30.105(a)(3) is amended to read:

(3) verification of having passed the applicable examination described in AS 08.71.090, sent directly to the department from the organization that administered the examination; [AND]

12 AAC 30.105(a)(4) is amended to read:

(4) documentation of meeting the experience or training requirements required under AS 08.71.110(a)(2), sent directly to the department from the licensed physician, optometrist, or dispensing optician that supervised the applicant; **and** [.]

12 AAC 30.105(a) is amended by adding a new paragraph to read:

(5) verification that the applicant has passed the applicable course described in 12 AAC 30.075 if applying under 12 AAC 30.070, sent directly from the National Academy of Opticianry or the Contact Lens Society of America.

12 AAC 30.105 is amended by adding a new subsection to read:

(c) An applicant for an endorsement under (a) of this section may submit official transcripts, sent directly from the issuing school or college of opticianry to the department, documenting the degree requirements of AS 08.71.110(b) as a substitute for the requirements of (a)(4) and (5) of this section. (Eff. 2/26/2003, Register 165; am 12/25/2019, Register 232)

**Authority:** AS 08.71.080 AS 08.71.110 AS 08.71.145



12 AAC 30.110(a) is amended to read:

(a) To register as an apprentice, an applicant must **submit** [COMPLETE AND RETURN A REGISTRATION]

**(1) a completed application on a** form provided by the department; [AND SUBMIT]

**(2) the applicable fees** [FEE] established in **12 AAC 02.200**; [12 AAC 02.200(1). THE REGISTRATION FORM SHALL BE SIGNED BY THE APPRENTICE'S SUPERVISOR.]

**(3) the supervisor's statement of responsibility that meets the requirements of 12 AAC 30.125, on a form provided by the department, sent directly to the department from the licensed dispensing optician, optometrist, or physician, supervising the apprentice; and**

**(4) a complete authorization for release of records form.**

12 AAC 30.110(c) is amended to read:

(c) The **department** **[BOARD]** will, in its discretion, accept under AS 08.71.110(a)(2)(A), apprenticeship training hours received before registration when those hours are documented at the time of initial registration and are verified by the department, only in those cases when an applicant received training out of state before beginning an apprenticeship in **the state** [ALASKA].

12 AAC 30.110(d) is amended to read:



(d) The supervisor of an apprentice shall notify the **department** [BOARD] in writing **on a form provided by the department, not later than** [WITHIN] 30 days after the apprenticeship **training is complete or is terminated** under that supervisor [TERMINATES]. **The supervisor must state the reason for termination of the apprentice on the form.**

12 AAC 30.110(f) is repealed:

(f) Repealed 12 / 25 / 2019.

12 AAC 30.110(h)(3) is amended to read:

(3) provide regular supervision to the apprentice **as described by 12 AAC 30.125(c).**

12 AAC 30.110 is amended by adding a new subsection to read:

(i) An applicant for renewal of a registration shall submit a renewal form provided by the department and the renewal fee established in 12 AAC 02.200. The registration form shall be signed by the apprentice's supervisor. (Eff. 3/30/84, Register 89; am 10/1/88, Register 107; am 5/20/93, Register 126; am 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.160

12 AAC 30.125(b) is amended to read:

(b) The supervisor of an apprentice under this section **may** [SHALL] provide for an

alternate supervisor, as described in (a)(6) of this section, who will provide supervision to the apprentice when the supervisor is unavailable.

12 AAC 30.125 is amended by adding a new subsection to read:

(d) If the supervision of an apprentice is terminated, the supervisor shall submit to the department the termination notice required by 12 AAC 30.110(d). (Eff. 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232 )

**Authority:** AS 08.71.160 AS 08.71.163 AS 08.71.165

12 AAC 30.200(a)(5) is repealed:

(5) repealed 12 / 25 / 2019;

The introductory language of 12 AAC 30.200(b) is amended to read:

(b) If specifically approved by the department [BOARD], the following educational experiences meet the continuing competence requirements of AS 08.71.130(d) and 12 AAC 30.200 – 12 AAC 30.220:

...

(Eff. 6/23/78, Register 66; am 3/30/84, Register 89; am 4/29/91, Register 118; am 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.130

12 AAC 30.210(b) is amended to read:

(b) An applicant for renewal is responsible for maintaining adequate and detailed records

of completed continuing competence courses, seminars, or experiences and shall make them available to the **department** [BOARD] upon request in accordance with 12 AAC 02.960.

12 AAC 30.210(c) is amended to read:

(c) Falsification of any written evidence submitted to the **department** [BOARD] under this section is grounds for license revocation or suspension under AS 08.71.170.

12 AAC 30.210 is amended by adding a new subsection to read:

<sup>A</sup>(d) ~~Licenses~~ must obtain a certificate from a continuing competence provider described in 12 AAC 30.200, as verification of that licensee's completion of all required elements of a course of study. The certificate must meet the requirements of 12 AAC 02.960(e), and provide the aspect of opticianry for which the activity pertains. If the activity pertains to more than one aspect of opticianry, the certificate must provide for how the time in class was divided, to the nearest quarter hour. (Eff. 6/23/78, Register 66; am 3/30/84, Register 89; am 4/29/91, Register 118; am 11/7/98, Register 148; am 5/25/2000, Register 154; am 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.130

12 AAC 30.220(a) is amended to read:

(a) An applicant for renewal of a dispensing optician license shall complete at least 10 hours of continuing competence acceptable to the **department** [BOARD] under this chapter during the concluding licensing period for each aspect of dispensing opticianry in which the applicant is licensed.

12 AAC 30.220(c) is repealed:

(c) Repealed 12 / 25 / 2019.

12 AAC 30.220(f) is amended to read:

(f) A dispensing optician who is applying for a license renewal for the first time shall certify having completed at least five contact hours of continuing education **for each aspect of dispensing opticianry in which the applicant is licensed**, for each complete calendar year that the applicant was licensed during the concluding licensing period. (Eff. 6/23/78, Register 66; am 4/22/83, Register 86; am 4/29/91, Register 118; am 2/26/2003, Register 165; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.080 AS 08.71.130

The introductory language of 12 AAC 30.900 is amended to read:

**12 AAC 30.900. Verifications.** Verification of current licensure, examinations or training of an applicant as required in **12 AAC 30.070 – 12 AAC 30.125** [12 AAC 30.010 – 12 AAC 30.120], shall be certified or notarized documentation supplied to the **department** [BOARD] by

...

(Eff. 4/22/83, Register 86; am 5/25/2000, Register 154; am 12 / 25 / 2019, Register 232)

**Authority:** AS 08.71.055 AS 08.71.130 AS 08.71.145  
AS 08.71.110

12 AAC 30 is amended by adding a new section to Article 4 to read:

**12 AAC 30.905. License renewal and reinstatement.** (a) An applicant for renewal of a dispensing optician license shall submit

- (1) a completed renewal application;
- (2) the license renewal fee established in 12 AAC 30.200; and
- (3) documentation that the applicant has met the continuing competence

requirements of 12 AAC 30.200 -- 12 AAC 30.220 during the concluding license period.

(b) The department will reinstate a dispensing optician license that has lapsed at least 60 days but less than five years if the applicant submits

- (1) a completed renewal application;
- (2) the license renewal fee established in 12 AAC 30.200; and
- (3) evidence of completion of the continuing competence requirements of

12 AAC 30.200 -- 12 AAC 30.210 that would have been required to maintain a current license for the entire period the license has been lapsed. (Eff. 12 / 25 / 2019, Register 232)

**Authority:** AS 08.01.100 AS 08.71.055 AS 08.71.130

12 AAC 30.990(a)(2) is repealed:

- (2) repealed 12 / 25 / 2019;

12 AAC 30.990(a)(7) is amended to read:

(7) "division" means the division **of corporations, business and professional licensing** [ASSIGNED OCCUPATIONAL LICENSING FUNCTIONS] in the department;

Register 232, January 2020 PROFESSIONAL REGULATIONS

(Eff. 4/22/83, Register 86; am 5/1/97 [5/25/2000], Register 142 [154]; am 5/25/2000 [5/1/97],

Register 154 [142]; am 1/5/2002, Register 161; am 2/26/2003, Register 165; am

12 / 25 / 2019, Register 232)

<b>Authority:</b>	AS 08.71.055	[AS 08.71.100]	AS 08.71.130
	AS 08.71.090	AS 08.71.110	AS 08.71.145

# MEMORANDUM

## State of Alaska Department of Law

To: The Honorable Kevin Meyer  
Lieutenant Governor

Date: November 22, 2019

File No.: 2019200711

Tel. No.: 465-3600

From: Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

Re: Department of Commerce,  
Community, and Economic  
Development: 12 AAC 30.070-  
.990: Occ. Licensing - Dispensing  
Optician Licensing

The Department of Law has reviewed the attached regulations of the Department of Commerce, Community, and Economic Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. This project should be filed to have the same effective date as companion project 2019200712, fees for dispensing opticians.

The regulations were adopted by the department after the close of the public comment period. The regulations make amendments to the regulations governing dispensing opticians, largely to address changes needed due to the sunset of that profession's board (ch. 40, SLA 2008). To highlight a few changes, amendments to 12 AAC 30.070 clarify and update regulations on documentation needed to verify training and work experience. 12 AAC 30.110(f) is repealed as it is made redundant by (d), and 12 AAC 30.075(b) is proposed to be repealed because it addresses requirements that have expired by their own terms. A new subsection (d) is proposed to 12 AAC 30.210, to clarify documentation of continuing competency requirements. This is expected to help the licensing examiner identify which requirements have been met for which aspects of opticianry (contacts or eyeglasses), and will be particularly helpful during audits. Amendments to 12 AAC 30.220(a), (f), and a proposed repeal of .220(c) are conforming.

The public notice and the adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.



We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP:nlw

cc: Honorable Julie Anderson, Commissioner  
Department of Commerce, Community & Economic Development  
Amy Demboski, Assistant Commissioner  
Department of Commerce, Community & Economic Development  
Glenn Hoskinson, Special Assistant to Commissioner  
Department of Commerce, Community & Economic Development  
Debbie Morgan, Administrative Specialist  
Department of Commerce, Community & Economic Development  
Sher Zinn, Regulations Specialist  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community & Economic Development  
Harriet Milks, Assistant Attorney General  
Commercial and Fair Business



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNIFAVY

Department of Commerce, Community,  
and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
Main: 907.465.2500  
Toll free fax: 907.465.2500

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Alcohol and Marijuana Control Office (AMCO), but for the Division of Corporations, Business and Professional Licensing (CBPL), under the Alaska Administrative Procedure Act, is hereby delegated to:

Sara Chambers  
Division Director  
Division of Corporations, Business and Professional Licensing  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2536  
[sara.chambers@alaska.gov](mailto:sara.chambers@alaska.gov)

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Alcohol and Marijuana Control Office, under the Alaska Administrative Procedure Act, is hereby delegated to:

Shawn Williams  
Assistant Commissioner  
DCCED  
550 West Seventh Avenue, Suite 1535  
Anchorage, AK 99501  
907-269-8100  
[shawn.williams@alaska.gov](mailto:shawn.williams@alaska.gov)

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 30<sup>th</sup> day of April, 2019

A handwritten signature in dark ink, appearing to read "Julie Anderson", written over a horizontal line.

Julie Anderson  
Commissioner  
Department of Commerce, Community,  
and Economic Development

**NOTICE OF PROPOSED CHANGES TO THE DISPENSING OPTICIAN  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT**

**BRIEF DESCRIPTION:** The Department of Commerce, Community, and Economic Development proposes to adopt changes to the dispensing optician regulations regarding licensing, apprentice registration, continuing competency requirements, and repeal of certain regulations.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 30 of the Alaska Administrative Code, including the following:

1. **12 AAC 30.070. License by examination**, is proposed to repeal and readopt the section, to clarify requirements for initial licensure including the examination, work experience and training.
2. **12 AAC 30.075. Approved course**, is proposed to be amended by removing references to “board”, update the name of the course for spectacles to the Ophthalmic Career Progression Program (OCP), and repeal outdated regulations.
3. **12 AAC 30.100. License by credentials**, is proposed to be amended to require the verification of current licensure to include the examination information, add work experience, and a new form to the application process.
4. **12 AAC 30.105. License endorsement**, is proposed to be amended to require course verification if applying by examination, and add official transcripts in lieu of the work experience or training requirements.
5. **12 AAC 30.110. Apprentice registration**, is proposed to be amended to clarify application requirements, change “board” to “department”, repeal a paragraph, clarify supervision, and add registration renewal.
6. **12 AAC 30.125. Supervision of apprentice**, is proposed to be amended to allow an option for an alternate supervisor, and require the supervisor to submit a form when the apprentice is terminated.
7. **12 AAC 30.200. Approved continuing competence experiences**, is proposed to be amended to change “board” to “department”, and repeal a paragraph.
8. **12 AAC 30.210. Documenting continuing competence**, is proposed to be amended to change “board” to “department”, and clarify continuing competence certificate requirements.
9. **12 AAC 30.220. Continuing competence requirements**, is proposed to be amended to change “board” to “department”, and clarify continuing competence requirements.
10. **12 AAC 30.900. Verifications**, is proposed to be amended to change “board” to “department”, and update references.
11. **12 AAC 30.905. License renewal and reinstatement**, is a proposed new section describing renewal and reinstatement requirements for dispensing opticians.
12. **12 AAC 30.990. Definitions**, is proposed to repeal the definition for “board”, and update the meaning of “division”.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK

99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/195382>, and using the comment link. **The comments must be received not later than 4:30 p.m. on October 14, 2019.** Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/DispensingOpticians.aspx>, or on the Alaska Online Public Notice System. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) not later than October 7, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/DOP-0919.pdf>.

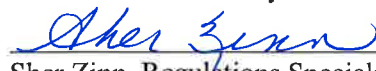
After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

**Statutory Authority:** AS 08.01.100; AS 08.71.055; AS 08.71.080; AS 08.71.090; AS 08.71.110; AS 08.71.130; AS 08.71.145; AS 08.71.160; AS 08.71.163; AS 08.71.165

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.100; AS 08.71.055; AS 08.71.080; AS 08.71.090; AS 08.71.110; AS 08.71.130; AS 08.71.145; AS 08.71.160; AS 08.71.163; AS 08.71.165

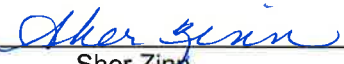
**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 9/10/19

  
\_\_\_\_\_  
Sher Zinn, Regulations Specialist  
Division of Corporations, Business and  
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION**  
**(AS 44.62.190(d))**

1. **Adopting agency:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Update regulations regarding license and renewal requirements, clarify continuing competency, and replace “board” with “department”, for the dispensing optician licensing program.
3. **Citation of regulation:** 12 AAC 30.070; 12 AAC 30.075; 12 AAC 30.100; 12 AAC 30.105; 12 AAC 30.110; 12 AAC 30.125; 12 AAC 30.200; 12 AAC 30.210; 12 AAC 30.220; 12 AAC 30.900; 12 AAC 30.905; 12 AAC 30.990.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update to current statutes, and clarification of current regulations.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**  
**A private person:** None known.  
**Another state agency:** None known.  
**A municipality:** None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):** No costs are expected in FY 2020 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Emily Mesch, Occupational Licensing Examiner  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-2541  
E-mail: [emily.mesch@alaska.gov](mailto:emily.mesch@alaska.gov)
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 9/10/19      **Prepared by:**   
Sher Zinn  
Regulations Specialist  
(907) 465-1049

# ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

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STATE OF ALASKA  
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Joleesa Stepetin being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

09/10/2019

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed



Subscribed and sworn to before me  
this 10th day of September 2019.

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

7/14/2020

STATE OF ALASKA  
NOTARY

PUBLIC

Jada L. Nowling

### NOTICE OF PROPOSED CHANGES TO THE DISPENSING OPTICIAN REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 30 of the Alaska Administrative Code, including the following:

- 12 AAC 30.070. License by examination, is proposed to repeal and readopt the section, to clarify requirements for initial licensure including the examination, work experience and training.
- 12 AAC 30.075. Approved course, is proposed to be amended by removing references to "board", update the name of the course for spectacles to the Ophthalmic Career Progression Program (OCCPP), and repeal outdated regulations.
- 12 AAC 30.100. License by credentials, is proposed to be amended to require the verification of current licensure to include the examination information, add work experience, and a new form to the application process.
- 12 AAC 30.105. License endorsement, is proposed to be amended to require course verification if applying by examination, and add official transcripts in lieu of the work experience or training requirements.
- 12 AAC 30.110. Apprentice registration, is proposed to be amended to clarify application requirements, change "board" to "department", repeal a paragraph, clarify supervision, and add registration renewal.
- 12 AAC 30.125. Supervision of apprentice, is proposed to be amended to allow an option for an alternate supervisor, and require the supervisor to submit a form when the apprentice is terminated.
- 12 AAC 30.200. Approved continuing competence experiences, is proposed to be amended to change "board" to "department", and repeal a paragraph.
- 12 AAC 30.210. Documenting continuing competence, is proposed to be amended to change "board" to "department", and clarify continuing competence certificate requirements.
- 12 AAC 30.220. Continuing competence requirements, is proposed to be amended to change "board" to "department", and clarify continuing competence requirements.
- 12 AAC 30.900. Verifications, is proposed to be amended to change "board" to "department", and update references.
- 12 AAC 30.905. License renewal and reinstatement, is a proposed new section describing renewal and reinstatement requirements for dispensing opticians.
- 12 AAC 30.990. Definitions, is proposed to repeal the definition for "board", and update the meaning of "division".

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Department will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/195382>, and using the comment link. The comments must be received not later than 4:30 p.m. on October 14, 2019. Comments received after this deadline will not be considered by the Department.

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). The questions must be received at least 10 days before the end of the public comment period. The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Department's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/DispensingOpticians.aspx>, or on the Alaska Online Public Notice System. The Department may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) not later than October 7, 2019, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/DOP-0919.pdf>.

After the public comment period ends, the Department will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.100; AS 08.71.055; AS 08.71.080; AS 08.71.090; AS 08.71.110; AS 08.71.130; AS 08.71.145; AS 08.71.160; AS 08.71.163; AS 08.71.165

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.100; AS 08.71.055; AS 08.71.080; AS 08.71.090; AS 08.71.110; AS 08.71.130; AS 08.71.145; AS 08.71.160; AS 08.71.163; AS 08.71.165

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 9/10/19  
BY: /s/ Sher Zinn, Regulations Specialist  
Division of Corporations, Business and Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

PUBLISH: September 10, 2019



STATE OF ALASKA                    )  
  ) ss.  
FIRST JUDICIAL DISTRICT    )

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 30.070-30.990, dealing with dispensing opticians and apprentices, regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing has been given by being:

1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the proposed regulation;
6. furnished electronically to incumbent State of Alaska legislators;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 10/21/19

*Sher Zinn*  
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, AK on 10-21-19.



*Jean Bennett*  
Notary Public in and for the State of Alaska  
My commission expires w/ office



STATE OF ALASKA                    )  
  ) ss.  
FIRST JUDICIAL DISTRICT    )

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

The Department of Commerce, Community, and Economic Development did not receive any factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Commerce, Community, and Economic Development regulations on dealing with licensing, registration and continuing competency of dispensing opticians and apprentices, regulated by the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.

Date: 10/21/19

Sher Zinn  
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, Ak on  
10-21-19

(date)



Jean Bennett  
Notary Public in and for the State of Alaska  
My commission expires: W/office