



Notice of Proposed Changes in The Regulations of the Alaska Board of Examiners in Optometry

Proposed Regulations - FAQ

March 2021

1. What is the purpose of the proposed regulations? What will this regulation do?

12 AAC 48.015. Examinations.

The proposed regulations will allow applicants to complete their open book Alaska State Optometry Law Examination via electronically. The proposal will be less paperwork and improve efficiency of law exam administration.

12 AAC 48.022. Restricted licenses.

The proposed regulations will ensure that a lapsed licensee has remained current in continued education competency. This proposed change is due to referenced statute changing in 2017. The way the current regulations reads now, the renewal applicant for a restricted license does not have to comply with the continuing education requirements.

12 AAC 48.200. License renewals and continuing education.

The proposed regulations will allow for documenting the completion of continued education (CE) instead of submitting proof of CE. The proposed change is due to the use of "documentation" versus "evidence" in 12 AAC 48.900. Evidence means the renewal applicant must provide proof of completing CE requirements. Documentation means the applicant must testify on the renewal form that they have completed the CE requirements. Renewal applicants are subject to a random mandatory audit, if selected for audit, the applicant must submit the evidence or proof of CE completion claimed for the concluding licensing period.

12 AAC 48.330. Unprofessional conduct.

The proposed regulations will clarify when a licensee can designate themselves as specialists. Delineates clearly when the term specialist can be used in the practice of optometry.

12 AAC 48.900. Reinstatement of a lapsed license.

The proposed regulations amend language and removes reference to incorrect regulation citation. The proposed change is due to the regulation citation of 12 AAC 02.105 not relating to fees for renewal of a license. 12 AAC 02.105 are administrative fees only for the division.

12 AAC 48.920. Prescription requirements.

The proposed regulations will streamline the necessary details required for both an eyeglasses and contact lens prescription.

12 AAC 48.990. Definitions.

The proposed regulations will remove regulations that no longer conform to the current statutes. The proposed change is due to the statute reference no longer referring to “physician-patient relationship”. AS 08.72.272(a) was repealed and readopted in 2017. There are no other references to “physician-patient relationship” in the statutes or regulations.

2. What are the costs to comply with the proposed regulations?

None known.

3. When will the regulations be effective?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the regulation as written/publicly noticed, may amend and adopt them, choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Board action, the adopted regulations goes to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.