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OFFICE OF THE LIEUTENANT GOVERNOR  
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MEMORANDUM

**TO:** Jun Maiquis, AAC Contact  
Department of Commerce, Community and Economic Development

**FROM:** Scott Meriwether  
Special Assistant   
907.465.4081

**DATE:** March 31, 2015

**RE:** Filed Permanent Regulations: Board of Examiners of Optometry

Regulations re: temporary military courtesy licenses for spouses of active duty members of the armed forces of the United States, and continuing education courses accepted by the board (12 AAC 48.035; 12 AAC 48.200(b)(6))

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Attorney General File:	JU2014200942
Regulation Filed:	March 31, 2015
Effective Date:	April 30, 2015
Print:	214, July 2015

cc with enclosures: Linda Miller, Department of Law  
Genevieve Wojtusik, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

JU2014200942

ORDER CERTIFYING THE CHANGES TO REGULATIONS  
OF THE BOARD OF EXAMINERS IN OPTOMETRY


The attached two pages of regulations, dealing with military courtesy license and continuing education courses, are hereby certified to be a correct copy of the regulation changes that the Board of Examiners in Optometry adopted at its February 4, 2015 teleconference meeting, under the authority of AS 08.01.063, AS 08.72.050, AS 08.72.110, AS 08.72.170, AS 08.72.181, and AS 08.72.272 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.

On the record, in considering public comments, the Board of Examiners in Optometry 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: 2-4-2015  
Anchorage, Alaska

  
Paul M. Barney, O.D., Chairman  
Board of Examiners in Optometry

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on March 31, 2015 at 1:12 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
Byron Mallott, Lieutenant Governor

Effective: April 30, 2015.

Register: 214, July 2015.

Chapter 48. Board of Examiners in Optometry.

12 AAC 48 is amended by adding a new section to read:

**12 AAC 48.035. Military courtesy license.** (a) The board may issue a temporary military courtesy license to the spouse of an active duty member of the armed forces of the United States to practice optometry, with the prescriptive authority as described in AS 08.72.272, to an applicant who meets the requirements of AS 08.01.063 and this section.

(b) An applicant for a temporary military courtesy license under this section <sup>must</sup> ~~shall~~ submit

(1) a completed application on a form provided by the department;

(2) the licensing fees established in 12 AAC 02.300;

(3) the completed Alaska State Optometry Law Examination required in

12 AAC 48.015(a)(3); and

(4) a copy of official active duty military orders showing the spouse is assigned to a duty station in this state.

(c) In addition to <sup>meeting</sup> the requirements of (b) of this section, an applicant for a license under this section <sup>must</sup> ~~shall~~ arrange for and ensure the submission of the documentation required under 12 AAC 48.020(c).

(d) A temporary military courtesy license issued under this section is valid for 180 days. For good cause shown to the board's satisfaction, the board may extend a temporary military courtesy license for a period not to exceed 180 days.

(e) While practicing under a temporary military courtesy license issued under this section, the holder of the temporary military courtesy license <sup>shall</sup> ~~must~~ comply with the standards of practice set out in AS 08.72 and this chapter, and is subject to discipline <sup>under AS 08.72.240.</sup> ~~for actions taken or~~

~~omitted while practicing under the military courtesy license:~~ (Eff. 4/30/2015, Register 214)

Authority: AS 08.01.063 AS 08.72.110 AS 08.72.272

AS 08.72.050 AS 08.72.170

Publisher: Existing introductory language of 12 AAC 48.200(b) is unchanged; at the end of 12 AAC 48.200(b)(5), change the period to a semi-colon.

12 AAC 48.200(b) is amended by adding a new paragraph to read:

(b) The following continuing education courses, if related to the practice of optometry,

~~are accepted by the board for renewal of a license to practice optometry:~~



(6) educational courses offered by the American Academy of Optometry

(AAO).

<sup>y</sup>  
(Eff. 4/24/71, Register 37; am 2/10/83, Register 85; am 2/16/89, Register 109; am 11/2/2002,

<sup>^</sup>

Register 164; am 12/31/2005, Register 176; am 10/16/2011, Register 200; am 4/30/2015,

Register 214)

Authority: AS 08.72.050 AS 08.72.181

} boldface  
and under  
lining  
not  
necessary.