



## SOUTH DAKOTA BOARD OF EXAMINERS IN OPTOMETRY

PO Box 6  
Langford, SD 57454  
Phone and Fax: 605-493-6504  
Email: [sdoptboard@venturecomm.net](mailto:sdoptboard@venturecomm.net)  
<http://optometry.sd.gov>

### AGENDA (Amended)

August 14, 2015  
Tieszen Law Office  
Conference Room  
Pierre, South Dakota  
9:00 a.m. (CST)

1. Attendance
2. Approval of Agenda
3. Approve minutes from the regular meeting on April 17, 2015.
4. Treasurer's Report
5. Board review and approve CE courses
6. Old Business
  - a. Board Certification
  - b. Injections
  - c. Fairness to Contact Lens Consumers Act & Eyeglass Rule- Proposed Administrative Rules
  - d. Board Member Terms
  - e. State Board Query
7. New Business
  - a. Licensing
  - b. DLR/DOH Licensure Data System
8. Time and place of next meeting
9. Adjournment

*This meeting is being held in a physically accessible place. Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the in Board of Examiners in Optometry (605-493-6504) or [sdoptboard@venturecomm.net](mailto:sdoptboard@venturecomm.net) at least 24 hours advance of the meeting to make any necessary arrangements.*

## South Dakota Board of Examiners in Optometry

Meeting Minutes  
April 17, 2015  
Tieszen Law Office Conference Room  
Pierre, South Dakota  
9:00 AM (CST)

1. Attendance

Meeting called to order at 9:00 a.m. Board members present were Dr. Dockter, Dr. Kollis-Young, Dr. Hart, and Nancy Van Camp; Dr. Hartford also present, attending telephonically. Also present were Naomi Cromwell, Tieszen Law Office; Ann Meyer, Attorney General's Office; and Deni Amundson, Board Executive Secretary.

2. Approval of Agenda

Dr. Kollis-Young moved to approve the agenda as presented, seconded by Nancy Van Camp. All in favor. Motion passed.

3. Approve minutes from August 1, 2014, and October 22, 2104.

Dr. Kollis-Young moved to approve the minutes from the regular meeting on August 1, 2014, and the public hearing on October 22, 2014, seconded by Dr. Hartford. All in favor. Motion passed.

4. Approve treasurer's report

Nancy Van Camp moved to approve the treasurer's report, seconded by Dr. Kollis-Young. All in favor. Motion passed.

5. Board review and approve CE courses

Board reviewed and approved continuing education courses by individual signature vote.

6. Old Business

- a. Board Certification- Will continue to closely monitor. Tabled until next meeting.
- b. Injections- Will continue to closely monitor. Tabled until next meeting.

7. New Business

- a. Licensing- No action taken.
- b. Board Member Terms- Dr. Dockter will now serve as the president of the board; discussion that recommendations have been sent to the Governor's office to fill the position that will be left by Dr. Kollis-Young due to the expiration of allowable terms. No action taken.
- c. Updates on Court Decisions and Legislation- Dental Board v. FTC and its possible implications for this board. Overview of Bills impacting this board from 2015 S.D. Legislative Session. Deni Amundson to look into other states' laws addressing minimum exams and exam equipment and report at next meeting.

d. Fairness to Contact Lens Consumers Act- Discussion on amendments to 20:50:10:02 and 20:50:04:06. Dr. Hart moved to initiate the administrative process to conform these two rules with federal laws, seconded by Dr. Kollis-Young. All in favor. Motion passed.

e. Johnson & Johnson Letter- No action taken.

f. Contracts-

- B-Pro, Computer Services- Dr. Hart moved to renew this contract, seconded by Nancy Van Camp. Motion passed.
- SDOS, Educational Services- Dr. Kollis-Young moved to renew this contract, seconded by Dr. Hartford. Motion passed.
- Investigator Contract- Deni Amundson reported that our current investigator has resigned from the position. Discussion was had regarding possible replacements. Dr. Hartford moved to authorize Deni Amundson to contact potential replacements to fill the position and to increase the hourly rate, seconded by Dr. Kollis-Young. Motion passed.
- Tieszen Law Office, Legal Services- Dr. Hartford moved to renew the contract with an increase in the hourly rate, seconded by Nancy Van Camp. Motion passed.
- Deni Amundson, Executive Secretary- Dr. Kollis-Young moved to renew the contract with an increase in the salary, seconded by Nancy Van Camp. Motion passed.

#### 8. Time and Place of Next Meeting

Friday, August 14, 2015  
 9:00 a.m. (CST)  
 Tieszen Law Office Conference Room  
 Pierre, SD

#### 9. Adjournment

Dr. Kollis-Young moved for adjournment, seconded by Dr. Dockter. All in favor, motion passed. Meeting was adjourned at 11:19 a.m.

Respectfully submitted,  
 Deni Amundson, Executive Secretary  
 South Dakota Board of Examiners in Optometry

## 2014/2015 Detailed Expenses

1-Jul-15 0% FY Remaining

	Expenditure	Notes	FY14
Board Member Fees	660		720
DASI- Employer's Share	51		55
Travel-Auto- In State	562		603
Travel- Lodging- In State	180		277
Travel- Meals- In State	113		116
Travel- Airfare	0		0
Travel- Meals, Lodging- Out of State	0		0
ARBO Dues	750		750
Education and Training Consultant	4000	Contract with SDOS	4000
Computer Consultant	406		2813
Legal Consultant	16949	Tieszen Law Office Fees	25482
Management Consultant	28588	Reimbursements to Deni Amundson (details below)	25960
		Salary- \$1488/12 months= \$17,856	
		Rent- \$400/12 months= \$4800	
		Postage and PO Box Rent-\$840.83	
		Printing & Office Supplies-\$1581.94	
		Travel Expenses-\$495.53	
		Errors and Omissions Insurance- \$892	
		Telephone and Internet-\$1287.29	
		Computer Service- \$677.13	
		Investigator Services- \$157.50	
Central Services- 5204200	802	DOH Charges relating to payroll and audit.	778
Central Services- 5204204	233	DOH Charges relating to records management.	261
Central Services- 5204207	208	DOH Charges relating to personnel services.	319
Insurance Premiums	740		750
Printing- State	0		483
Computer Hardware	1868		0
<b>Total expenses through 7/1/2015</b>	<b>\$56,110</b>		<b>\$63,367</b>
<b>Total revenue for 2014/2015</b>	<b>\$54,491.16</b>		<b>\$54,109.40</b>
<b>7/1/2015 Cash Balance</b>	<b>\$ 36,406.28</b>		
<b>7/1/2014 Cash Balance</b>	<b>\$ 38,025.23</b>		
<b>7/1/2013 Cash Balance</b>	<b>\$ 47,283.03</b>		
<b>7/1/2012 Cash Balance</b>	<b>\$ 63,977.43</b>		
<b>7/1/2011 Cash Balance</b>	<b>\$ 52,176.16</b>		
<b>7/1/2010 Cash Balance</b>	<b>\$39,609.76</b>		
<b>7/1/2009 Cash Balance</b>	<b>\$33,999.17</b>		
<b>7/1/2008 Cash Balance</b>	<b>\$30,205.52</b>		
<b>7/1/2007 Cash Balance</b>	<b>\$24,246.08</b>		
<b>7/1/2006 Cash Balance</b>	<b>\$10,727.46</b>		

**14/15 New Licenses**

Brady Betten- Yankton, SD  
Ashley Gentrup- Sioux Falls, SD  
Mitchel Ibach- Sioux Falls, SD  
Jerika Kirwan- Wagner, SD  
Travis Lehr- Sioux Falls, SD  
Brandy Morrow- Sioux Falls, SD  
Alexander Permann- Chamberlain, SD  
Bethany Russell- Aberdeen, SD  
Erica Seelye- Huron, SD  
Sarah Stuchl- Buffalo, SD  
Nicholas Wenande- Mitchell, SD

**14/15 Non-Renewed Licenses**

Thomas Garrity- Hoven, SD  
Robert Johnson- Huron, SD  
Kathleen Keltz- Hawarden, IA

Subobject	Description	FY08 Actual	FY09 Actual	FY10 Actual	FY11 Actual	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Actual
	Salaries								
5101030	Board & Comm Members	1,320	1,020	1,140	480	960	720	720	660
5102010	OASI-Employer's	110	82	92	41	76	56	55	51
5203010	Auto-State								
	Board Member Travel	2,000	1,744	1,824	826	1,004	1,268	996	855
	*Includes: Auto, Meals, Lodging								
5204020	Dues & Memberships	600	600	750	750	750	750	750	750
5204060	Ed & Training	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
5204050	Computer Consultant (database)								
5204100	Medical Consultant (investigator)								
5204080	Legal Consultant	11,733	11,669	10,849	9,573	7,218	25,953	25,482	16,949
5204090	Management Consultant	18,398	19,266	20,516	21,573	24,390	28,974	25,960	28,588
5204160	Workshop								
5204200	Central Services	559	651	653	598	636	681	778	802
5204203	Central Services				8				
5204204	Central Services	122	118	139	113	128	199	261	233
5204207	Central Services	334	288	262	201	220	111	319	208
5204960	Other Contractual					88			
5205310	Printing-State			331	96			483	
5204590	Ins Premiums & Surety Bds		975	900	-	975	470	750	740
5205350	Postage					9			
5207905	Computer	383		2593	-				1868
5207451	Office Furniture and Fixtures					850			
	<b>Total Expenses</b>	<b>39,559.00</b>	<b>40,413.00</b>	<b>44,049.00</b>	<b>38,259.00</b>	<b>41,304.00</b>	<b>69,356.00</b>	<b>63,367.00</b>	<b>56,110.00</b>
	<b>TOTAL REVENUE</b>	<b>49,084.00</b>	<b>50,166.18</b>	<b>49,661.00</b>	<b>50,824.22</b>	<b>53,104.77</b>	<b>52,660.58</b>	<b>54,109.40</b>	<b>54,491.16</b>
		9,525.00	9,753.00	5,612.00	12,565.00	11,801.00	-16,695.00	-9,258.00	-1,618.84

4.

**Summary and Explanation of Rule Amendments**

**Rules: ARSD 20:50:04:06 and 20:50:10:02**

**South Dakota Board of Examiners in Optometry**

The rule changes being proposed are to make South Dakota's rules consistent with federal laws regarding the manner in which contact lens and spectacle lens prescriptions are provided to an optometrist's patient.

**Summary of proposed administrative rule changes.**

**20:50:04:06** – As currently written, this rule states that if a patient requests a copy of his or her spectacle lens prescription, an optometrist must provide it. Federal law, however, requires optometrists (and ophthalmologists) to provide a copy of the lens prescription to the patient immediately at the conclusion of the eye exam, whether or not the patient requests it, and also contains standards for charging the patient for the prescription. (16 C.F.R. 456.2; see page 2 hereto) This proposed rule change is for the purpose of making this rule consistent with the federal law regarding optometrists providing spectacle prescriptions to the patient.

This rule revision also corrects an apparent error in the "law implemented" as the law currently indicated, SDCL 36-7-19, regulates advertising by optometrists, an unrelated subject.

**20:50:10:02** – As currently written, this rule states that if a patient requests a copy of his or her contact lens prescription, an optometrist must provide it. Federal law, however, mandates that a patient is to be provided a copy the contact lens prescription whether or not requested by the patient, and contains standards for charging the patient for the contact lens prescription. (16 C.F.R. 315.3 and 315.4; see page 3 hereto) This proposed rule change is for the purpose of making this rule consistent with the federal law regarding optometrists providing contact prescriptions to the patient.

**16 CFR §456.2 Separation of examination and dispensing.**

It is an unfair act or practice for an ophthalmologist or optometrist to:

(a) Fail to provide to the patient one copy of the patient's prescription immediately after the eye examination is completed. Provided: An ophthalmologist or optometrist may refuse to give the patient a copy of the patient's prescription until the patient has paid for the eye examination, but only if that ophthalmologist or optometrist would have required immediate payment from that patient had the examination revealed that no ophthalmic goods were required;

(b) Condition the availability of an eye examination to any person on a requirement that the patient agree to purchase any ophthalmic goods from the ophthalmologist or optometrist;

(c) Charge the patient any fee in addition to the ophthalmologist's or optometrist's examination fee as a condition to releasing the prescription to the patient. Provided: An ophthalmologist or optometrist may charge an additional fee for verifying ophthalmic goods dispensed by another seller when the additional fee is imposed at the time the verification is performed; or

(d) Place on the prescription, or require the patient to sign, or deliver to the patient a form or notice waiving or disclaiming the liability or responsibility of the ophthalmologist or optometrist for the accuracy of the eye examination or the accuracy of the ophthalmic goods and services dispensed by another seller.

**16 CFR §315.3 Availability of contact lens prescriptions to patients.**

(a) *In general.* When a prescriber completes a contact lens fitting, the prescriber:

- (1) Whether or not requested by the patient, shall provide to the patient a copy of the contact lens prescription; and
- (2) Shall, as directed by any person designated to act on behalf of the patient, provide or verify the contact lens prescription by electronic or other means.

(b) *Limitations.* A prescriber may not:

- (1) Require the purchase of contact lenses from the prescriber or from another person as a condition of providing a copy of a prescription under paragraph (a)(1) or (a)(2) of this section or as a condition of verification of a prescription under paragraph (a)(2) of this section;
- (2) Require payment in addition to, or as part of, the fee for an eye examination, fitting, and evaluation as a condition of providing a copy of a prescription under paragraph (a)(1) or (a)(2) of this section or as a condition of verification of a prescription under paragraph (a)(2) of this section; or
- (3) Require the patient to sign a waiver or release as a condition of releasing or verifying a prescription under paragraph (a)(1) or (a)(2) of this section.

**16 CFR §315.4 Limits on requiring immediate payment.**

A prescriber may require payment of fees for an eye examination, fitting, and evaluation before the release of a contact lens prescription, but only if the prescriber requires immediate payment in the case of an examination that reveals no requirement for ophthalmic goods. For purposes of the preceding sentence, presentation of proof of insurance coverage for that service shall be deemed to be a payment.

**20:50:04:06. Optometrist to write and release prescription -- Requests for medical records.**

If a patient for whom an optometrist has prescribed spectacle lenses so requests, the optometrist shall write out the prescription and deliver a copy of it to the patient. An optometrist must provide to the patient one copy of the patient's prescription immediately after the eye examination is completed. An optometrist may refuse to give the patient a copy of the patient's prescription until the patient has paid for the eye examination, but only if immediate payment from the patient would have been required had the examination revealed that no ophthalmic goods were required.

The patient may not be charged any fee in addition to the optometrist's examination fee as a condition to releasing the prescription to the patient. However, an optometrist may charge an additional fee for verifying ophthalmic goods dispensed by another seller when the additional fee is imposed at the time the verification is performed.

An optometrist may not place on the prescription, or require the patient to sign, or deliver to the patient a form or notice waiving or disclaiming the liability or responsibility of the optometrist for the accuracy of the eye examination or the accuracy of the ophthalmic goods and services dispensed by another seller.

Requests for medical records other than prescriptions are governed by SDCL 36-2-16.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 36-7-15.

**Law Implemented:** SDCL 36-7-15(3), 36-7-19 1.

**20:50:10:02. Provision of contact lens prescription.** A person licensed under SDCL chapter 36-7 may not issue a validated contact lens prescription until a licensed optometrist has completed follow-up evaluation of the contact lens design on the patient's eye to assure the compatibility of the lens to the eye and the patient's ocular health.

After the completion of the follow-up evaluation by the licensed optometrist, ~~if the patient requests, in writing, a copy of the contact lens specifications pursuant to SDCL 36-2-16,~~ the prescribing optometrist shall provide a copy of the validated prescription. ~~The optometrist shall~~ prescription must clearly state indicate the expiration date ~~on~~ of the prescription.

If a patient refuses to permit the prescribing optometrist to complete a follow-up evaluation, the prescribing optometrist shall deliver a nonvalidated prescription to the patient that includes a statement that the prescription cannot be validated without follow-up evaluation.

The prescribing optometrist may not:

1. Require purchase of contact lenses from the prescriber or from another person as a condition of providing a copy of a contact lens prescription;
2. Require payment in addition to, or as a part of, the fee for an eye examination, fitting, and evaluation as a condition of providing a copy of a contact lens prescription; or
3. Require the patient to sign a waiver or release as a condition of verifying or releasing a contact lens prescription.

However, a prescribing optometrist may require payment of fees for an eye examination, fitting and evaluation before the release of a contact lens prescription, but only if the prescriber requires immediate payment in the case of an examination that reveals no requirement for ophthalmic goods. For purposes of the preceding sentence, presentation of proof of insurance coverage for that service is deemed to be a payment.

**Source:** 21 SDR 35, 21 SDR 50, effective January 1, 1995.

**General Authority:** SDCL 36-7-15.

**Law Implemented:** SDCL 36-7-1.

6d.

NAME	APPOINTMENT	EFFECTIVE	EXPIRATION
Dr. Mike Bartlett 100 West Capitol Pierre, SD 57501 224-0404- Office	10-7-2004 7-1-2007 (reappt) 7-1-2010 (reappt)		6-30-2007 6-30-2010 6-30-2013
Dr. Thomas Garrity PO Box 498 Hoven, SD 57450 374-5781- Office 374-3559- Home	9-9-2003 7-1-2006 (reappt) 7-1-2009 (reappt)		6-30-2006 6-30-2009 6-30-2012
Dr. Lisa Kollis-Young 5129 S. Western Avenue Sioux Falls, SD 57105 332-2231- Office 362-6162- Home	11-29-2006 7-31-2009 (reappt) 8/6/2012 (reappt)		6-30-2009 6-30-2012 6-30-2015
Nancy Van Camp 117 Shimrose Street Ft. Pierre, SD 57532 223-9378- Home	8-13-2008 7-1-2009 (reappt) 8-7-2012 (reappt)		6-30-2012 6/30/2015
Dr. Joseph Hartford 2800 Mount Rushmore Road Rapid City, SD 57701 343-2002- Office 342-0488- Home	7-9-2007 7-1-2010 (reappt) 8/12/2013		6-30-2010 6-30-2013 6-30-2016
Dr. Craig Dockter 1702 3 <sup>rd</sup> Avenue West Mobridge, SD 57601	8-6-2012		6/30/2015
Dr. Jill Hart 640 East Sioux Avenue #3 Pierre, SD 57501 224-6128- Office 494-0263- Home	10-7-2013		6/30/2016

Member Query from South Dakota

Jurisdiction	Does your jurisdiction have laws that specifically permit or prevent ODs from having "specialty" offices?
Alberta	Optometrists are permitted to have "specialty" offices.
Arizona	R4 21-302 Advertising B A licensee may advertise that the licensee has a practice limited in some way if the licensee does not use the term "specialist" or any derivative of the term "specialist." §3099. SPECIALIST IN EYE DISEASE No optometrist shall advertise or otherwise hold himself or herself out to be a specialist in eye disease and the treatment thereof. §3100. CLAIMING SPECIAL KNOWLEDGE The holding out as having a special knowledge of optometry, as defined in this chapter, by the holder of a license, constitutes a cause to revoke or suspend his or her license.
California	No
Delaware	No
Georgia	No
Michigan	No
Minnesota	Minnesota does not
Montana	No
Nevada	Nevada does not have a statute/regulation that addresses "specialty" offices.
New Hampshire	Opt 502.02 Standards of Conduct A licensee shall (u) Comply with the following when describing the licensee's optometric practice: (1) A licensee may designate himself or herself as an O.D., optometrist or Doctor of Optometry, but shall not use the terms "optometric physician" or "medical optometrist;" (2) A licensee may: a. Designate himself or herself as having areas of interest; and b. Use phrases such as "practice limited to contact lenses" or "practice provides care in the following areas.;" (3) When designating himself or herself as having areas of interest pursuant to (2) above, a licensee shall not: a. List specialties or board certification in a specific area of interest; or b. Use terms such as: 1. Therapeutic optometrist;" 2 "Optometric glaucoma specialist;" or 3. "Practice specializing in contact lenses;" and (4) A licensee may designate himself or herself as having membership, fellowship or diplomat status from nationally recognized certifying bodies such as the College of Optometrists in Vision Development (COVD) or the American Academy of Optometry (FAAO), but shall not imply that he or she is "board certified."
New York	No

North Carolina	No	
Ohio	No	No, Oklahoma is allowed a Primary practice and a branch practice (2 locations only). Optometrists cannot list themselves as specialists since all are under one licensure. Some are certified differently. Ex: Laser anterior segment, laser Photo refractive or both. All are certified to use therapeutic agents to treat ocular abnormalities. Not all are certified to use lasers. All new applicants are required to be certified to use anterior segment lasers. PRK is optional with further training. A person cannot say he / she is a specialist in contact lens fitting even though he/she may be a Diplomate in Cornea/Contact lens with American Academy of Optometry The Board is the certifying agency, not the American Academy. The Board does not recognize a doctor to a higher credential such as Low Vision, etc, even though this is the doctors mode of practice.
Oklahoma		
Texas	No	
Utah		There is not a law that addresses "specialty" offices. § 54.1-3215. Reprimand, revocation and suspension. The Board may revoke or suspend a license or reprimand the licensee for any of the following causes: 9. Advertising which directly or indirectly deceives, misleads or defrauds the public, claims professional superiority, or offers free optometrical services or examinations;
Virginia		

West Virginia	The Board has no specialty certifications. We certify 2 levels of prescriptive authority and injection administration. We have no specific prohibitions on a specialty office. However, Board Policy Statement 6 on Board Certification touches a little on the subject in principle. The Board does not permit a licensee to advertise himself as having superior skill due to a board certification. The board only recognizes its own certification programs. I have attached a copy of Board Policy Statement 6.
Wyoming	No

<p>Does your jurisdiction have laws that address minimum exams or office equipment? Yes, we do have a minimum list of equipment. The complete Guidelines to the Alberta College of Optometry Standards of Practice are available on our website. <a href="http://www.collegeofoptometrists.ca">www.collegeofoptometrists.ca</a> under the Resources tab. The equipment list is under the 2nd Tab at the bottom of this spreadsheet called Alberta.</p> <p>Arizona has minimum exam requirements as outlined in the national practice guidelines set forth by the American Optometric Association. There is both a pediatric and adult exam guideline. Our rule is below. We do not have any equipment requirements at this time. R4-21-304 Vision Examination Standards. A licensee shall conduct an eye examination in accordance with the standards of care prevalent in the community and consistent with current industry practice.</p>	<p>We do not have a specific law(s) or regulation(s) that defines the minimum exam or equipment necessary to perform the examinations. Our laws are very broad to allow for the OD to determine the equipment necessary to perform the optometric services allowed by the type of certifications he/she has obtained, such as treating glaucoma.</p> <p>No</p> <p>No</p> <p>No</p> <p>Minnesota does not</p> <p>No</p>
<p>NAC 636.190 does address what an "optometric examination" must include.</p> <p>I do not find anything specific to this in the rules and laws.</p> <p>No</p>	

<p>In keeping with the professional code, the optometrist shall: maintain adequate equipment and instruments in his office at all times to assure proper and complete examination of patients. Such equipment and instruments shall include, but not be limited to, the following: a direct ophthalmoscope; an indirect ophthalmoscope; condensing lenses; proper instrumentation for foreign body removal; biomicroscope; instrument for plotting central and peripheral fields; applanation tonometer; distance and near acuity charts; test objects for stereopsis and fusion; color vision testing apparatus; refractor; trial frame or phorometer with trial case lenses; keratometer; and retinoscope.</p> <p>The board requires the following minimum equipment needed to provide a full scope examination which shall include, but not be limited to, tonometer, slit lamp, and instrumentation to examine the retina and to perform visual fields.</p>	
<p>Yes. To write a prescription for glasses, a minimum # of tests is required. Each office must have certain types of instruments to qualify for a practice.</p>	<p>Yes. Optometry Act Section 35.1-35.3 INITIAL EXAMINATION OF PATIENT. To ensure adequate examination of a patient for whom an optometrist or therapist signs or causes to be signed an ophthalmic lens prescription, in the initial examination of the patient the optometrist or therapist shall make and record, if possible, the following findings concerning the patient's condition: (1) case history, consisting of ocular, physical, occupational, and other pertinent information; (2) visual acuity; (3) the results of a biomicroscopy examination, including an examination of the cornea and sclera; (4) the results of an internal ophthalmoscopic examination, including an examination of the media and fundus; (5) the results of a static retinoscopy, O.D., O.S., or autorefractor; (6) subjective findings, far point and near point; (7) assessment of binocular functions; (8) amplitude or range of accommodation; (9) tonometry; and (10) angle of vision, to right and to left. Board Rule 279-1(b). The optometrist or therapist shall observe proper hygiene in the handling and dispensing of the contact lenses and in the conduct of the examination. Proper hygiene includes sanitary office conditions, running water in the office where contact lenses are dispensed, and proper sterilization of diagnostic lenses and instruments.</p>
<p>Currently there is not a law that addresses office equipment; there is an ongoing conversation on creating office equipment standards; nothing has been created or concluded at this point.</p> <p>The Virginia board does not have specific laws or regulations regarding what constitute a minimum exam or the type of office equipment that is required. However, the record keeping requirements imply the minimum requirements for an exam.</p>	

We have no legislation on minimum office equipment or lists what an examination should contain. However, the legislature just passed a bill called the Eye Care Consumer Protection Act that contains a definition of examination and lists requirements for an eyeglass and contact prescription. The principle purpose of the bill is to forbid generation of an eyeglass or contact lens prescription by use of an auto-refractor alone. The Board is composing a legislative rule to enforce the bill for consideration in the 2016 Legislative Session. A copy of the bill is attached.

The only information about equipment that I see is regarding assistants that maintain equipment needing to be supervised. However, I would encourage any interested party to look at the rules and statutes that are on our website at <http://lboards.state.wy.us/optometry/rulesregs.aspx>.