



**Board of Examiners in Optometry**  
PO Box 513  
Wall, SD 57790  
[sdoptboard@goldenwest.net](mailto:sdoptboard@goldenwest.net)  
Telephone: (605) 279-2244  
Website: <http://optometry.sd.gov>

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#### AGENDA

Monday, April 3, 2023  
In-Person Meeting  
AmericInn- Conference Room  
312 Island Drive, Fort Pierre, SD 57532  
8:00 a.m. (CST)

1. Approval of Agenda
2. Board Member Request for Conflict Waiver
3. Public Comment
4. Approve minutes from the virtual meeting on April 25, 2022, and in-person meeting on August 22, 2022.
5. Treasurer's Report
  - a. Financial Reports
  - b. Database/Renewal Software Update
6. Board Review and Approve CE Courses
  - a. Non-COPE CE Approval
7. Old Business
  - a. National and State Issues Monitored
8. New Business
  - a. Licensing
  - b. Scope of Practice Decision Making Framework
  - c. Scope of Practice Petitions
  - d. Contracts
9. Time and place of next meeting
10. Adjournment

***Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the in Board of Examiners in Optometry (605-279-2244) or [sdoptboard@goldenwest.net](mailto:sdoptboard@goldenwest.net) at least 24 hours advance of the meeting to make any necessary arrangements.***

***The public may listen to and participate in the meeting by calling 1-253-215-8782 (Meeting ID: 673 963 1412). Zoom link: <https://us02web.zoom.us/j/6739631412>***

REQUEST FOR WAIVER

SDCL 5-18A-17 to 5-18A-17.6

**THIS IS A PUBLIC DOCUMENT**

Date: \_\_\_\_\_

Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Agency: \_\_\_\_\_

Position No: \_\_\_\_\_

Title: \_\_\_\_\_

Brief explanation of your potential conflict of interest:

Brief explanation of your role in the award, administration or supervision of a contract with an outside party or your current or anticipated business transaction with a state agency (other than a contract of employment):

Brief explanation of why you believe a waiver should be granted:

**FOR AGENCY/BHR USE ONLY:**

Date received by official acting on request:

Signature of Official acting on request: \_\_\_\_\_

Date of interview:

Date acted upon:

Waiver granted? Y/N

If waiver is conditional, so note here (Y/N), list conditions on separate sheet and attach to this document.

Appeal requested? Y/N

Appeal received in Governor's Office:

Date appeal acted upon:

Waiver granted on appeal? Y/N

Received by BHR:



## South Dakota Board of Examiners in Optometry

### Virtual Meeting Minutes

April 25, 2022  
5:00 PM (CST)

DRAFT MINUTES  
HAVE NOT BEEN  
APPROVED BY THE  
BOARD

Board Members		Board Staff Present
Angela Hase, OD, President	Present	Deni Amundson, Executive Secretary Megan Borchert, Board Attorney
Scott Schirber, OD	Present	
Ashley Crouch, OD	Present	Public Attendance
Brian Gill, OD	Present	
Jamie Farmen, Consumer Member	Present	
		Deb Mortenson, South Dakota Optometric Society

\* A call-in number and physical location were noticed as available for public access to listen to and participate in the meeting.

**1. Attendance:** President Hase called the meeting to order at 5:00 PM on April 25, 2022.

#### 2. Approval of Agenda

Board Action: A Crouch moved to approve the agenda, seconded by J Farmen. Roll call vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

**3. Conflict of Interest:** All board members reported no conflict with agenda items.

#### 4. Approve Minutes from March 28, 2022

Board Action: S Schirber moved to approve the minutes from March 28, 2022, with one correction to the date at the top of page one. Seconded by A Crouch. Roll call vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

#### 5. Administrative Rule Review:

Board Action: A Crouch moved to approve the draft rule revisions, as presented in the agenda packet, to the SD Department of Health. Seconded by J Farmen. Roll call vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

M Borchert will follow up regarding SD Department of Health comments and the timeline for the public hearing regarding proposed revisions.

**6. Public Comment:** None

**7. Time and Place of Next Meeting:**

Next Meeting: Monday, August 22, 2022, 8:00AM (CST): AmericInn- Conference Room, 312 Island drive, Fort Pierre, SD 57532.

**8. Adjournment:**

Board Action: At 5:20pm, J Farmen moved to adjourn meeting, seconded by S Schirber. Roll call vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

DRAFT



**South Dakota Board of Examiners in Optometry**  
**Meeting Minutes**  
**August 22, 2022**  
**8:00 AM (CST)**  
**AmericInn- Conference Room**  
**312 Island Drive, Fort Pierre, SD 57532**

DRAFT MINUTES  
HAVE NOT BEEN  
APPROVED BY THE  
BOARD

Board Members		Board Staff Present
Ashley Crouch, OD	Present	Deni Amundson, Executive Secretary Megan Borchert, Board General Counsel
Jamie Farmen, Consumer Member	Present	
Brian Gill, OD	Present	Guests
Angela Hase, OD, President	Present	
Scott Schirber, OD	Present	
		Deb Mortenson, South Dakota Optometric Society

**Attendance:** President Hase called the meeting to order at 8:03 AM on August 22, 2022.

**1. Approval of Agenda:**

Board Action: S Schirber moved to approve the agenda, seconded by J Farmen. Vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

**2. Conflict of Interest:** All board members reported no conflict with agenda items.

**3. Public Comment:** No public comment

**4. Approval Minutes:**

Board Action: J Farmen moved to approve the minutes from the regular meeting on March 28, 2022, and the Zoom/telephonic meeting on June 2, 2022, and the Zoom public hearing on June 22, 2022, seconded by B Gill. Vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

**5. Financial Reports:**

Board Action: Deni Amundson presented the treasurer's report found on pages 11-15 of the agenda packet. B Gill moved to accept treasurer's report, seconded by S Schirber. Vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

Deni Amundson reported on the progress of the database upgrade. Codewise will be beginning the project soon and they hope to have the project complete before the end of May 2022 with the goal of renewing licenses online next year.

## 6. Board Review and Approve CE Courses:

At 8:38am, S Schirber moved to enter into executive session pursuant to SDCL 1-25-2 to consult with legal counsel, seconded by J Farmen. (End recording part 1.) Vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

At 9:16, the board came out of executive session. (Start recording part 2.)

Board Action: The reviewed and approved the non-COPE (Council on Optometric Practitioner Education) continuing education courses by signature vote

As a result of the recent change in statute that automatically accepts COPE approved CE, The board recommended that the executive secretary, D Amundson, draft a new form for non-COPE approved continuing education. She will also provide an update to all licensees regarding this procedure change and the form will be posted on the website for public access. (End recording part 2.)

9:17am-9:27am- BREAK (Start recording part 3.)

The board reviewed the Department of Health and Human Services of Inspector General Advisory Opinion 22-14 found on pages 16-17 of the agenda packet. No action taken.

## 7. Old Business

**A. National and State Issues Monitored:** No new information or action taken, but both issues will continue to be monitored.

## 8. New Business:

### A. Licensing:

Board reviewed and ratified applications 23-1, 23-2 and 23-3.

Board Action: SSchirber moved to ratify all three applications for licensure, seconded by J Farmen. Vote:

Crouch	Abstain	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	4 YES, MOTION CARRIED	

New Licensees:

- Penelope Haeker
- Lawrence Nguyen
- Elaine Petry

**B. Administrative Rule Update:** No action taken.

### C. Board Member Training:

At 9:50am, S Schirber moved to enter into executive session pursuant to SDCL 1-25-2 to consult with legal counsel, seconded by B Gill. (End recording part 3.) Vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

At 9:58, the board came out of executive session. (Start recording part 4.)

### D. Request for Advisory Opinion/Declaratory Rulings:

Board legal counsel, M Borchert, reported on the difference between and advisory opinion and declaratory ruling. Since the procedure code list was recently removed during the administrative rule review, procedure requests will need to be reviewed through the declaratory ruling procedure as prescribed in statute. This procedure will address requests that come to the board for determinations of what falls within the optometric practice act in South Dakota. No action taken.

### 9. Time and Place of Next Meeting:

**Monday, April 3, 2023- In-Person Meeting**  
AmericInn- Conference Room  
312 Island Drive, Fort Pierre, SD 57532  
8:00am (CST)

### 10. Adjournment:

Board Action: S Schirber moved to adjourn meeting at 10:12am CST, seconded by B Gill. (End recording part 4.) Vote:

Crouch	YES	Hase	YES
Farmen	YES	Schirber	YES
Gill	YES	5 YES, MOTION CARRIED	

# Remaining Authority by Object/Subobject

Expenditures current through 03/04/2023 05:20:33 PM

HEALTH -- Summary

FY 2023 Version -- AS -- Budgeted and Informational

FY Remaining: 32.6 %

09208 Board of Optometry - Info							PCT
Subobject	Operating	Expenditures	Encumbrances	Commitments	Remaining	AVL	
<b>EMPLOYEE SALARIES</b>							
5101030 Board & Comm Mbrs Fees	1,530	780	0	0	750	49.0	
<b>Subtotal</b>	<b>1,530</b>	<b>780</b>	<b>0</b>	<b>0</b>	<b>750</b>	<b>49.0</b>	
<b>EMPLOYEE BENEFITS</b>							
5102010 Oasi-employer's Share	174	62	0	0	112	64.4	
<b>Subtotal</b>	<b>174</b>	<b>62</b>	<b>0</b>	<b>0</b>	<b>112</b>	<b>64.4</b>	
<b>51 Personal Services</b>							
<b>Subtotal</b>	<b>1,704</b>	<b>842</b>	<b>0</b>	<b>0</b>	<b>862</b>	<b>50.6</b>	
<b>TRAVEL</b>							
5203020 Auto Priv (in-st.) L/rte	200	0	0	0	200	100.0	
5203030 Auto-priv (in-st.) H/rte	1,000	677	0	0	323	32.3	
5203100 Lodging/in-state	380	251	0	0	129	33.9	
5203140 Meals/taxable/in-state	258	28	0	0	230	89.1	
5203150 Non-taxable Meals/in-st	200	102	0	0	98	49.0	
<b>Subtotal</b>	<b>2,038</b>	<b>1,058</b>	<b>0</b>	<b>0</b>	<b>980</b>	<b>48.1</b>	
<b>CONTRACTUAL SERVICES</b>							
5204020 Dues & Membership Fees	850	850	0	0	0	0.0	
5204050 Computer Consultant	1,000	17,850	7,150	0	-24,000	0.0	
5204060 Ed & Training Consultant	4,000	4,000	0	0	0	0.0	
5204080 Legal Consultant	20,000	2,838	0	0	17,162	85.8	
5204090 Management Consultant	40,700	33,471	11,285	0	-4,056	0.0	
5204100 Medical Consultant	2,000	0	10,000	0	-8,000	0.0	
5204180 Computer Services-state	288	47	0	0	241	83.7	
5204200 Central Services	1,429	984	0	0	445	31.1	
5204204 Central Services	305	179	0	0	126	41.3	
5204207 Central Services	306	341	0	0	-35	0.0	
5204590 Ins Premiums & Surety Bds	600	0	0	0	600	100.0	
<b>Subtotal</b>	<b>71,478</b>	<b>60,560</b>	<b>28,435</b>	<b>0</b>	<b>-17,517</b>	<b>0.0</b>	
<b>SUPPLIES &amp; MATERIALS</b>							
5205310 Printing-state	800	515	0	0	285	35.6	
5205350 Postage	0	30	0	0	-30	0.0	
<b>Subtotal</b>	<b>800</b>	<b>545</b>	<b>0</b>	<b>0</b>	<b>255</b>	<b>31.9</b>	



# Remaining Authority by Object/Subobject

Expenditures current through 03/04/2023 05:20:33 PM

HEALTH -- Summary

FY 2023 Version -- AS -- Budgeted and Informational

FY Remaining: 32.6 %

<b>52 Operating</b>						
<b>Subtotal</b>	<b>74,316</b>	<b>62,163</b>	<b>28,435</b>	<b>0</b>	<b>-16,282</b>	<b>0.0</b>

<b>Total</b>	<b>76,020</b>	<b>63,005</b>	<b>28,435</b>	<b>0</b>	<b>-15,420</b>	<b>0.0</b>
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Subobject	Description	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Actual	FY19 Actual	FY20 Actual	FY21 Actual	FY22 Actual	FY23 3/4/2023
	Salaries										
5101030	Board & Comm Members	720	660	780	900	660	600	1,020	180	1,800	780
5102010	OASI-Employer's	55	51	61	69	50	46	81	14	138	62
5203010	Auto-State										
	Board Member Travel	996	855	1,229	1,002	1,467	1,482	2,131	-	1,114	1,058
	*Includes: Auto, Meals, Lodging										
5204020	Dues & Memberships	750	750	750	750	750	750	850	850	850	850
5204060	Ed & Training	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
5204050	Computer Consultant (database)	2,813	406	1,595	175	350	315	128	765	128	17,850
5204100	Medical Consultant (investigator)	-	-	360	2,140	-	753	-	248	-	-
5204080	Legal Consultant	25,482	16,949	12,623	30,665	26,376	15,388	21,202	7,150	7,196	2,838
5204090	Management Consultant	25,960	28,588	31,703	33,924	34,541	35,214	35,251	34,366	37,051	33,471
5204180	Computer Services- State				213	158	62	76	84	90	47
5204200	Central Services: Misc DOH	778	802	828	1,125	1,115	1,195	1,262	1,069	1,062	984
5204204	Central Services: Records	261	233	192	192	199	245	286	274	246	179
5204207	Central Services: HR	319	208	242	293	230	205	360	44	524	341
5204960	Other Contractual						75				
5205310	Printing-State	483		1048			385	626	482		515
5204590	Ins Premiums & Surety Bds	750	740	380	335	815	900	880	245	825	-
5205350	Postage			36			9		13		30
5207905	Computer		1868								
5207451	Office Furniture and Fixtures										
5207491	Telephone Equipment								25		
5207901	Computer Hardware								157		
52053901	Food Stuffs							24			
	<b>TOTAL EXPENSES</b>	<b>63,367.00</b>	<b>56,110.00</b>	<b>55,827.00</b>	<b>75,783.00</b>	<b>70,711.00</b>	<b>61,624.00</b>	<b>68,177.00</b>	<b>49,966.00</b>	<b>55,024.00</b>	<b>63,005.00</b>
	<b>TOTAL REVENUE</b>	<b>54,109.40</b>	<b>54,491.16</b>	<b>71,403.85</b>	<b>72,734.74</b>	<b>73,801.78</b>	<b>75,524.55</b>	<b>75,454.24</b>	<b>76,015.09</b>	<b>74,391.35</b>	<b>73,173.24</b>
	<b>REVENUE - EXPENSES</b>	<b>-9,258.00</b>	<b>-1,618.84</b>	<b>15,576.85</b>	<b>-3,048.26</b>	<b>3,090.78</b>	<b>13,900.55</b>	<b>7,277.24</b>	<b>26,049.09</b>	<b>19,367.35</b>	<b>10,168.24</b>
	<b>CASH CENTER BALANCE</b>	<b>38,025.23</b>	<b>36,406.28</b>	<b>51,986.12</b>	<b>48,935.18</b>	<b>52,025.36</b>	<b>65,925.77</b>	<b>73,202.49</b>	<b>94,237.52</b>	<b>113,607.19</b>	<b>126,560.85</b>

3/1/2022      131,684.19  
 3/1/2021      109,450.67  
 3/1/2020      92,572.85  
 3/1/2019      84,138.02  
 3/1/2018      64,900.50



Renew

Renew Corporation

Update Personal Information

Update Practice Information

Optometrist #544

ACTIVE

First Name	Last Name	Address
Angela	Hase	Ave SE
City	State	Zip
Aberdeen	SD	57401
Home Phone	Cell Phone	Email
		casidy@cwtech.io
OE Tracker #	DEA #	Expiration
		9/30/2023

Barnett Vision Center LLP

RECEIVES MAIL CORRESPONDENCE

ACTIVE

PRIMARY PRACTICE

Address	City	State
	Aberdeen	SD
Zip	Phone	Phone 2
Email	Expiration	
	12/31/2023	

Receipts

NUMBER	STATUS	AMOUNT	DATE



## License Renewal

Any license Renewal fee not received before December 31st of the current year, will be considered delinquent. A late fee will be assessed along with the normal Renewal fee to be paid by January 15th. Further board action may be taken after January 15th if Renewal fees and late fees are not paid.

### 1. Personal Information

☐ Receive Correspondence (must select to receive physical mail at home or practice address)

First Name

Middle

Last Name

Angela

J

Hase

Email

Home Phone

Cell Phone

cassidy@cwtech.io

Address

City

State

Zip

Aberdeen

South Dakota

57401

OE Tracker #

DEA #

Other States Licensed

### Invoice Details

1

#### Personal

x 1 - Renewal	\$300.00
Total (USD)	<b>\$300.00</b>

### 2. Primary Practice Information

☒ Receive Correspondence (must select to receive physical mail at home or practice address)

Email

Phone

Secondary Phone

you@example.com

605-225-4046

Address

Physical Address

City

State

Zip

Zip 4

Aberdeen

South Dakota

57401



### 3. Personal History

If you answer YES to any of the questions below you will need to upload copies of charges or citations and ALL communications (to and from) the citing agency AND the court of jurisdiction, including evidence of completion/compliance with court requirements.

1. Have you ever been convicted, pled no contest/nolo contendere, pled guilty to, or been granted a deferred judgment or suspended imposition of sentence or had prosecution deferred with respect to a felony?

☒ Yes ☐ No

 Test File 1.pdf

2. Have you ever been convicted, pled no contest/nolo contender, pled guilty to, or been granted a deferred judgment or suspended imposition of sentence, or had prosecution deferred with respect to a misdemeanor other than a class 2 misdemeanor traffic offense?

☐ Yes ☒ No

3. Is there any pending criminal prosecution against you?

☐ Yes ☒ No

4. Are you currently being investigated or is disciplinary action pending against any professional license(s) or certificate(s) held by you?

☐ Yes ☒ No

5. Has any license, registration, permit or certificate held by you in any state or country been denied, revoked, suspended, stipulated, or have you been placed on probation or otherwise subjected to any type of disciplinary action?

☐ Yes ☒ No

6. Have you ever been denied a license to practice optometry in another state?

☐ Yes ☒ No

7. Have you ever been subject to a negligence or malpractice judgment or settlement during the scope and course of your practice?

☐ Yes ☒ No

#### 4. Child Support

In accordance with 25-7A-56, the Board of Examiners in Optometry may not issue or renew any license under this chapter to a person after receiving notice from the South Dakota Department of Social Services that he or she has support arrearages in the sum of one thousand dollars or more unless he or she has made satisfactory arrangements with the Department of Social Services for payment of any accumulated arrearages. Failure to certify may result in disciplinary action, and making a false statement may subject the TblLicense to contempt of court.

- ☐ I am more than \$1,000 delinquent in complying with a child support order.
- ☐ I am currently under a child support order, but a stipulation arrangement has been made with the Department of Social Services.
- ☐ I am not currently under any child support order.

#### 5. Certifying Statement

By virtue of filing this application, I do solemnly swear or affirm that I am of good moral character, and that I understand the instructions and terms as set forth in this application form. I declare and affirm under the penalties of perjury that this application has been examined by me, and to the best of my knowledge and belief all information contained herein is true and correct and that the photograph attached hereto is a true likeness of myself.

I hereby authorize the State Board of Examiners in Optometry to verify any and all information contained in this application. I authorize the South Dakota Board of Examiners in Optometry to obtain and review any and all records and files pertaining to my licensure and practice in this and any other state in which I am or have been licensed in optometry or have applied to be licensed in optometry, and all law enforcement records, administrative records, motor vehicle records, and court documents to confirm the accuracy and completeness of the information provided herein. This application and signature shall act as authorization of entities in possession of applicable information to release such information to the licensing authority.

I declare and affirm under the penalties of perjury that I will faithfully submit and conform myself and my actions to comply with all provisions of South Dakota Codified Law and the Administrative Rules of South Dakota governing the practice of Optometry in South Dakota.

Signature of Applicant

Angela Hase

Signature Date

11/01/2023

Continue to Checkout

Cancel



# Checkout

There will be no additional fees for use of credit/debit card. The Board of Examiners will absorb that cost at this time.

First Name

Angela

Last Name

Hase

Address

City

Aberdeen

State

South Dakota

Zip

57401

## Invoice Details

1

### Personal

x 1 - Renewal	\$300.00
Total (USD)	\$300.00

E-CHECK (ACH) ☒ CREDIT CARD

Account Number

Routing Number

Pay Now

Back



# Receipt #2

11/1/2023

## Invoice Details

1

### Personal

x 1 - Renewal	\$300.00
Total (USD)	<b>\$300.00</b>

Print

Done





## Renewal In Review



Thank you for your renewal submission. Your renewal will be reviewed and license will be mailed from the board office within 7 business days. If any additional information is needed for issuance of license, you will be notified from the board office.

Renew Corporation

[Update Personal Information](#)

[Update Practice Information](#)

## Optometrist #544

ACTIVE

First Name

Angela

City

Aberdeen

Home Phone

OE Tracker #

Last Name

Hase

State

SD

Cell Phone

DEA #

Address

Zip

Email

cassidy@cwtech.io

Expiration

9/30/2023

## Barnett Vision Center LLP PRIMARY PRACTICE

RECEIVES MAIL CORRESPONDENCE

ACTIVE

Address

Zip

57401

Email

City

Aberdeen

Phone

Expiration

12/31/2023

State

SD

Phone 2

## Receipts

NUMBER

STATUS

AMOUNT

DATE

2

Paid

\$300.00

11/1/2023





# Corporation Renewal

Any license Renewal fee not received before December 31st of the current year, will be considered delinquent. A late fee will be assessed along with the normal Renewal fee to be paid by January 15th. Further board action may be taken after January 15th if Renewal fees and late fees are not paid.

## 1. Personal Information

Name	DBA	Contact
<input type="text"/>	<input type="text"/>	<input type="text"/>
Address	Physical Address	City
<input type="text"/>	<input type="text"/>	<input type="text" value="Aberdeen"/>
State	Zip	Zip4
<input type="text" value="SD"/>	<input type="text"/>	<input type="text"/>
Phone	Secondary Phone	Email
<input type="text"/>	<input type="text"/>	<input type="text"/>

Officers

Directors

Shareholders

Satelite Offices

## Invoice Details

1

Personal	
x 1 - Corp Renewal	\$10.00
Total (USD)	\$10.00

Satelite Offices

Other Registered Names

2. Certifying Statement

By virtue of filing this application, I do solemnly swear or affirm that I am of good moral character, and that I understand the instructions and terms as set forth in this application form. I declare and affirm under the penalties of perjury that this application has been examined by me, and to the best of my knowledge and belief all information contained herein is true and correct and that the photograph attached hereto is a true likeness of myself.

I hereby authorize the State Board of Examiners in Optometry to verify any and all information contained in this application. I authorize the South Dakota Board of Examiners in Optometry to obtain and review any and all records and files pertaining to my licensure and practice in this and any other state in which I am or have been licensed in optometry or have applied to be licensed in optometry, and all law enforcement records, administrative records, motor vehicle records, and court documents to confirm the accuracy and completeness of the information provided herein. This application and signature shall act as authorization of entities in possession of applicable information to release such information to the licensing authority.

I declare and affirm under the penalties of perjury that I will faithfully submit and conform myself and my actions to comply with all provisions of South Dakota Codified Law and the Administrative Rules of South Dakota governing the practice of Optometry in South Dakota.

Signature of Applicant

Digital Signature Here

Signature Date

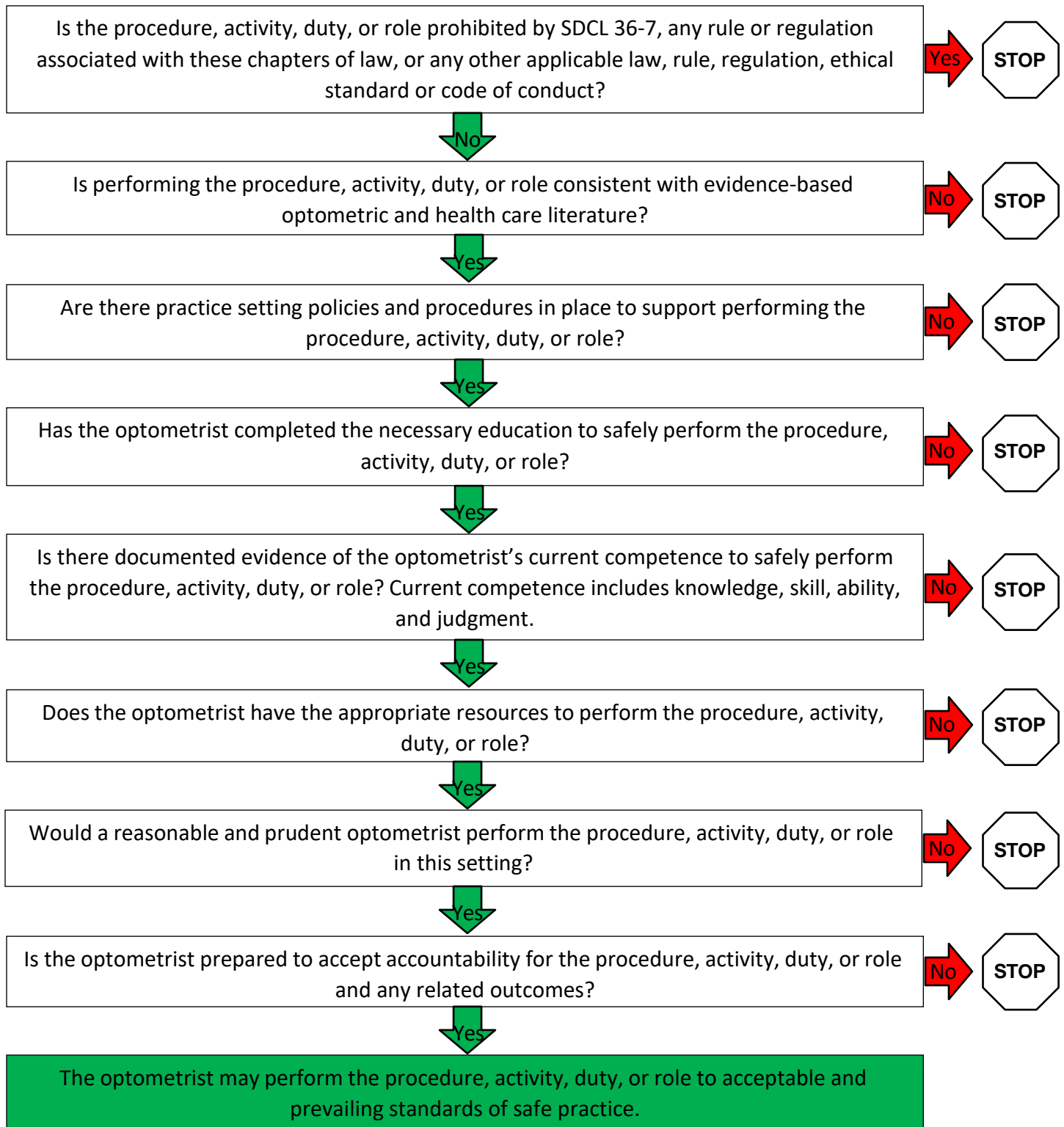
11/01/2023

Continue to Checkout

Cancel

# Scope of Optometry Practice Decision-making Framework

Identify, describe, or clarify the procedure, activity, duty, or role under consideration.



These decision-making framework guidelines are for educational purposes only. The guidelines do not purport to establish a standard of care or advise a course of action for patient care in any particular situation. Optometrists are encouraged to read the Practice Act found at SDCL 36-7, ARSD 20:50, and [prescriptive authority information](#) provided by the South Dakota Board of Pharmacy.

### Scope of Practice Declaratory Ruling Process

In 2021, the South Dakota Governor's Office codified HB 1014, establishing a uniform complaint and declaratory ruling procedure for all healthcare licensing boards. Individuals wishing to petition the Board regarding scope of practice questions need to do so through the Uniform Declaratory Ruling process found at SDCL 36-1C-14 through 36-1C-16.

To comply with this procedure, the petitioner needs to provide the information required in SDCL 36-1C-14 which provides that "[a] person seeking a ruling as to the applicability to that person of a law, rule, or order of an agency under title 36 may file with the agency a petition for declaratory ruling." The issue must directly impact the petitioner and be related to a law, rule, or order of the Optometry Board. The statute requires the petitioner to provide information about the petitioner, the specific statute or rules in question, the facts and circumstances giving rise to the issue to be addressed, and to describe the precise issue to be answered in the declaratory ruling. Pursuant to SDCL 36-1C-15, the agency, at its next scheduled meeting or within ninety days, whichever is shorter, shall issue a declaratory ruling and serve a copy of it by mail or electronic mail upon the petitioner.

The Board cannot provide legal advice regarding the petition or petitioning process. If you need additional help, you are encouraged to seek private legal counsel.



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## FY23 CONTRACT SUMMARY and FY24 RECOMMENDATIONS

- **South Dakota Optometric Society- Education Services**
  - \$4,000.00 per year
  - **Proposed-FY24: Continue with same terms**
- **CodeWise- Database Services**
  - \$85.00/hour
  - Not to exceed \$25,000.00
  - **Proposed- FY24: Not to exceed \$10,000**
- **Scott Kennedy- Investigative Services**
  - \$90.00/hour
  - Not to exceed \$5,000.00
  - **Proposed- FY24: Continue with same terms**
- **Lisa Kollis-Young- Investigative Services**
  - \$90.00/hour
  - Not to exceed \$5,000.00
  - **Proposed- FY24: Continue with same terms**
- **Deni Martin- Administrative Services**
  - Salary- \$2014.36/month
  - Rent- \$591.36/month
  - Office and travel expenses reimbursed, not to exceed \$7,000.00
  - \$3,062.00 one-time payment for professional liability insurance
  - \$3420.60 one-time payment for additional duties: statute revisions
  - Not to exceed \$44,751.24
  - **Proposed- FY24: TBD by board.**