



**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, March 20, 2024  
Zoom Meeting  
6:00 p.m. (CST)

1. Approval of Agenda
2. Board Member Request for Conflict Waiver
3. Public Comment
4. Approve minutes from the in-person meeting on March 18, 2024.
5. Treasurer's Report
  - a. Financial Reports
6. New Business:
  - a. Petitions for Advanced Procedures Course
7. Old Business
  - a. Licensing
  - b. Contracts: Kennedy
  - c. SDCL 36-7
    - Website
    - Database Update
    - Application(s) Update
    - Approval Process for Advanced Procedures Applications
  - d. Administrative Rule Review
8. Time and place of next meeting
9. 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 1-253-205-0468 (Meeting ID: 673 963 1412). Zoom link: <https://us02web.zoom.us/j/6739631412?omn=82560008902>***



**South Dakota Board of Examiners in Optometry**  
**Meeting Minutes**  
**March 18, 2024**  
**8:00 AM (CST)**  
**In-Person Meeting**  
**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 Martin, Executive Secretary	
Jamie Farmen, Consumer Member	Present	Megan Borchert, Board General Counsel	
Brian Gill, OD	Present	Guests	
Angela Hase, OD, President	Present	Deb Mortenson, SD Optometric Society Ashcon Alizadeh	
Scott Schirber, OD	Present		

**Attendance:** President Hase called the meeting to order at 8:00 AM on March 18, 2024. (Start part 1 of audio.)

**1. Approval of Agenda:**

Board Action: B Gill moved to approve the agenda, seconded by S Schirber. 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:** Ashcon Alizadeh provided background regarding his application to practice optometry in South Dakota.

**4. Approval Minutes:**

Board Action: A Crouch moved to approve the minutes from the in-person meetings on August 28, 2023, seconded by J Farmen. Vote:

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

**5. Financial Reports:**

Board Action: D Martin presented the treasurer's report found on pages 7-9 of the agenda packet. S Schirber moved to accept treasurer's report, seconded by B Gill. Vote:

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

## 6. Board Review and Approve Non-COPE CE Courses:

Board Action: Non-Cope CE was reviewed and approved via signature vote with the documents.

## 7. Old Business

**A. National and State Issues Monitored:** An update was provided about the successful passing of HB1099, which expanded the scope of practice for optometrists in South Dakota. It will be up to this board to determine forms and procedures for implementation of the expansions of allowed procedures through SDCL 36-7 beginning July 1, 2024.

SB57 is a second chance bill for individuals with criminal history who can prove rehabilitation.

SCR 602 is a Senate concurrent resolution to analyze and report information on the healthcare workforce in SD.

At the previous meeting, there was an inquiry regarding the South Dakota Department of Health's (DOH) Dakota State Loan Repayment Program (SLRP) and why optometrists are not part of the designated healthcare professions. Deni Martin indicated that she has reached out to the DOH and they responded with, "The eligible profession types and practice sites for the SLRP are determined by the Health Resources & Services Administration (HRSA), South Dakota is allowing the widest participation allowed by that grant." Deb Mortenson had indicated that the South Dakota Optometric Society is also researching this and, if possible, considering including it in future legislation.

No action taken.

**B. Statute & Administrative Rule Review:** As a result of the expansion of procedures in SDCL 36-7 and updates from the American Optometric Association, this board will need to complete a full review of administrative rules. Pages 15-34 of the agenda packet contains article 20:50 and some potential amendments for discussion. Deni Martin will create and email a survey to engage stakeholders in the draft of the administrative rule package. Tabled until next meeting.

(End of part 1 audio.)

## 8. New Business

### A. Licensing:

Board Action: At 9:20am, pursuant to SDCL 1-25-2, S Schirber moved to enter into executive session to consult with legal counsel regarding licensing and contractual matters, seconded by B Gill. Vote:

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

At 10:19am, the board moved out of executive session. (Start part 2 of audio.)

**Board Action:** A Hase moved to approve the “Agreed Upon Disposition to Voluntarily Surrender License” for Cesar Bartell, seconded by S Schirber. Vote:

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

**Board Action:** S Schirber moved to ratify the applications for 24-1 Claudia Wilkerson-Pelfrey, 24-2 Jared Grant, 24-3 Jonathan Nebelsick, 24-4 Kelsey Palmer, and 24-5 Doro Hsu, seconded by J Farmen. Vote:

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

**Board Action:** S Schirber moved to consider application 24-6 incomplete at this time, seconded by A Crouch. Vote:

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

## **B. Contracts:**

**Board Action:** B Gill moved to consider approved the contracts for Codewise, Scott Kennedy and Lisa Kollis-Young as described in the proposed FY25 terms on page 41 of the agenda packet, seconded by S Schirber. Vote:

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

**Board Action:** J Farmen moved to consider approved the contract for Deni Martin as described in the proposed FY25 terms on page 41 of the agenda packet and also approve of a name change on the contract to DM Management, LLC, seconded by A Crouch. Vote:

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

Administrative rule 20:50:08:01 previously required this board to make at least 12 hours of continuing education courses available each year, which was contracted out through the South Dakota Optometric Society (SDOS). In 2022, this administrative rule was amended to remove that requirement. Because of this amendment, the contract with the SDOS will not be renewed, but A Hase commended and thanked them for their years of partnership.

### C. Board Member Terms & Compensation:

Deni Martin reported that the state has increased the per diem for board members from \$60 to \$166 per meeting. A Crouch, J Farmen and B Gill all have board terms that will be expiring on June 30, 2024. J Farmen and B Gill have expressed interest in continuing for another term. A Crouch expressed that she did not wish to be considered for a new term. Deni Martin will work with the South Dakota Department of Health regarding these reappointments and finding a new board member.

Discussion was also had regarding the fact that S Schirber will also be completing his final term on June 30, 2025. The board agreed that A Hase will remain as the board president for now. No action taken.

### D. SDCL 36-7 (Expansion of Procedures):

A Hase reported that, as a result of HB 1099 passing in the legislature, this board will need to develop the forms and procedures to support these advanced levels of licensure. Deni Martin presented an outline of proposed website changes found on pages 44-45 of the agenda packet. Based on this outline, new applications and forms will be developed and ready to use before July 1, 2024. Tabled until next meeting.

HB 1099 Section 2(2), indicates that, to qualify for advanced procedures privileges to be added to their license, an optometrist must complete a 32-hour course approved by the board. These courses will be reviewed and approved by using the "Petition for Advanced Procedures Courses" form. The South Dakota Optometric Society petitioned the board for approval of the NSU Oklahoma College of Optometry Advanced Procedures Course instructed by Nathan Lighthizer. B Gill moved to approve this course to anyone who has completed it after January 1, 2021, seconded by A Crouch. Vote:

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

The administrative appeal of the board's declaratory ruling was also dismissed in circuit court after the passage of HB1099.

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

- **Monday May 20, 2024- Zoom Meeting**
- **Monday, August 19, 2024- In-Person Meeting**  
AmericInn- Conference Room  
312 Island Drive, Fort Pierre, SD 57532  
8:00am (CST)

### 11. Adjournment:

Board Action: J Farmen moved to adjourn meeting at 11:04am, seconded by S Schirber.  
Vote:

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

# Remaining Authority by Object/Subobject

Expenditures current through 05/04/2024 04:20:45 PM

HEALTH -- Summary

FY 2024 Version -- AS -- Budgeted and Informational

FY Remaining: 15.9 %

09208 Board of Optometry - Info							PCT
Subobject	Operating	Expenditures	Encumbrances	Commitments	Remaining	AVL	
<b>EMPLOYEE SALARIES</b>							
5101030 Board & Comm Mbrs Fees	1,698	1,260	0	0	438	25.8	
<b>Subtotal</b>	<b>1,698</b>	<b>1,260</b>	<b>0</b>	<b>0</b>	<b>438</b>	<b>25.8</b>	
<b>EMPLOYEE BENEFITS</b>							
5102010 Oasi-employer's Share	192	97	0	0	95	49.5	
<b>Subtotal</b>	<b>192</b>	<b>97</b>	<b>0</b>	<b>0</b>	<b>95</b>	<b>49.5</b>	
<b>51 Personal Services</b>							
<b>Subtotal</b>	<b>1,890</b>	<b>1,357</b>	<b>0</b>	<b>0</b>	<b>533</b>	<b>28.2</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	1,634	0	0	-634	0.0	
5203100 Lodging/in-state	380	660	0	0	-280	0.0	
5203140 Meals/taxable/in-state	258	14	0	0	244	94.6	
5203150 Non-taxable Meals/in-st	200	272	0	0	-72	0.0	
<b>Subtotal</b>	<b>2,038</b>	<b>2,580</b>	<b>0</b>	<b>0</b>	<b>-542</b>	<b>0.0</b>	
<b>CONTRACTUAL SERVICES</b>							
5204020 Dues & Membership Fees	850	850	0	0	0	0.0	
5204050 Computer Consultant	1,000	8,033	1,968	0	-9,001	0.0	
5204060 Ed & Training Consultant	4,000	4,000	0	0	0	0.0	
5204080 Legal Consultant	15,000	13,166	0	0	1,834	12.2	
5204090 Management Consultant	45,700	44,124	3,487	0	-1,911	0.0	
5204100 Medical Consultant	2,000	0	10,000	0	-8,000	0.0	
5204180 Computer Services-state	323	772	0	0	-449	0.0	
5204181 Computer Services-state	0	188	0	0	-188	0.0	
5204200 Central Services	1,509	2,038	0	0	-529	0.0	
5204202 Central Services	0	11	0	0	-11	0.0	
5204203 Central Services	0	8	0	0	-8	0.0	
5204204 Central Services	305	275	0	0	30	9.8	
5204207 Central Services	306	489	0	0	-183	0.0	
5204530 Telecommunications Srvc	0	113	0	0	-113	0.0	
5204590 Ins Premiums & Surety Bds	600	855	0	0	-255	0.0	
5204960 Other Contractual Service	0	1,768	0	0	-1,768	0.0	
<b>Subtotal</b>	<b>71,593</b>	<b>76,690</b>	<b>15,455</b>	<b>0</b>	<b>-20,552</b>	<b>0.0</b>	

## SUPPLIES & MATERIALS

# Remaining Authority by Object/Subobject

Expenditures current through 05/04/2024 04:20:45 PM

HEALTH -- Summary

FY 2024 Version -- AS -- Budgeted and Informational

FY Remaining: 15.9 %

09208 Board of Optometry - Info							PCT
Subobject	Operating	Expenditures	Encumbrances	Commitments	Remaining	AVL	
5205310 Printing-state	800	0	0	0	800	100.0	
<b>Subtotal</b>							<b>100.0</b>
<b>CAPITAL OUTLAY</b>							
5207901 Computer Hardware	0	1,634	0	0	-1,634	0.0	
5207961 Computer Software	0	66	0	0	-66	0.0	
<b>Subtotal</b>							<b>0.0</b>
<b>52 Operating</b>							
<b>Subtotal</b>	<b>74,431</b>	<b>80,970</b>	<b>15,455</b>	<b>0</b>	<b>-21,994</b>	<b>0.0</b>	
<b>Total</b>							
	<b>76,321</b>	<b>82,327</b>	<b>15,455</b>	<b>0</b>	<b>-21,461</b>	<b>0.0</b>	

Subobject	Description	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Actual	FY19 Actual	FY20 Actual	FY21 Actual	FY22 Actual	FY23 Actual	FY24 5/4/2024
	Salaries										
5101030	Board & Comm Members	660	780	900	660	600	1,020	180	1,800	1,080	1,260
5102010	OASI-Employer's	51	61	69	50	46	81	14	138	85	97
5203010	Auto-State										
	Board Member Travel	855	1,229	1,002	1,467	1,482	2,131	-	1,114	1,058	2,580
	*Includes: Auto, Meals, Lodging										
5204020	Dues & Memberships	750	750	750	750	750	850	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)	406	1,595	175	350	315	128	765	128	21,675	8,033
5204100	Medical Consultant (investigator)	-	360	2,140	-	753	-	248	-	158	
5204080	Legal Consultant	16,949	12,623	30,665	26,376	15,388	21,202	7,150	7,196	7,647	13,166
5204090	Management Consultant	28,588	31,703	33,924	34,541	35,214	35,251	34,366	37,051	42,657	44,124
5204180	Computer Services- State			213	158	62	76	84	90	261	960
5204200	Central Services: Misc DOH	802	828	1,125	1,115	1,195	1,262	1,069	1,062	1,411	2,038
5204202											11
5204203											8
5204204	Central Services: Records	233	192	192	199	245	286	274	246	246	275
5204207	Central Services: HR	208	242	293	230	205	360	44	524	519	489
5204530	Telecommunications Services										113
5204960	Other Contractual					75					1768
5205310	Printing-State		1048			385	626	482		620	
5204590	Ins Premiums & Surety Bds	740	380	335	815	900	880	245	825	995	855
5205350	Postage		36			9		13		30	
5207905	Computer	1868									
5207451	Office Furniture and Fixtures										
5207491	Telephone Equipment							25			
5207901	Computer Hardware/Software							157			1700
52053901	Food Stuffs						24				
	<b>TOTAL EXPENSES</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>83,292.00</b>	<b>82,327.00</b>
	<b>TOTAL REVENUE</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>74,471.27</b>	<b>78,785.89</b>
	<b>REVENUE - EXPENSES</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>-8,820.73</b>	<b>-3,541.11</b>
	<b>CASH CENTER BALANCE</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>104,787.20</b>	<b>101,711.96</b>

**Cash Center Balance- Same time in previous years:**

5/1/2023      111,904.90  
 5/1/2022      127,949.47  
 5/1/2021      105,546.98  
 5/1/2020      83,622.37





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PO Box 513, Wall, SD 57790  
**Email:** [sdoptboard@goldenwest.net](mailto:sdoptboard@goldenwest.net)  
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## PETITION FOR APPROVAL OF ADVANCED PROCEDURES COURSE

Effective July 1, 2024, the South Dakota Legislature allows South Dakota optometrists to perform advanced procedures as outlined in 36-7-1 (9). As part of the requirements of certification of these advanced procedures, applicants are required to complete an additional course that demonstrates competency in these advanced procedures. The purpose of this form is to petition the Board to request a review of a course to determine if it meets the criteria for South Dakota optometrists to complete their advanced procedures certification and be added to a Board approved course list.

Name of person or organization submitting petition: Julie K. Williams, OD, FAAO

If organization, name of person completing form: \_\_\_\_\_

Address: PO Box 117, Wagner State: SD Zip: 57380

Phone Number: 605-491-2847 Email: julie.williams@ihs.gov

## COURSE INFORMATION

Course Name: Surgical Procedures for the Optometric Physician

Length of Course: 18 Hour Course by Dr. Nathan Lighthizer, OD

Date of First Course Offering or Most Recent Update: December 10-11, 2023

Brief Description of Course:

Northeastern State University College of Optometry accredited the Surgical Procedures for the Optometric Physician. This 18 hour course was held in Altoona, Iowa.

\*Also, I received an email from Deni Martin that the SD Board of Optometry had approved these non-COPE 18 hours at their board meeting on 3-18-24. The 18 hours are reflected on my South Dakota Board of Optometry course history.

I am aware more hours will be needed to reach the 32 hour requirement. However, I would like to receive credit for the 18 hours I already have since the course that South Dakota will be offered is also through NSU Oklahoma by Dr. Nate Lighthizer.

\*Please check the box to indicate the course meets at least the following requirements:

➤ Is at least thirty-two hours in duration.	<input type="checkbox"/>
➤ Includes content on the intradermal injection of a paralytic agent.	<input checked="" type="checkbox"/>
➤ Includes content on the intralesional injection of a steroid to treat a chalazion.	<input checked="" type="checkbox"/>
➤ Includes content on the use of a local anesthetic in conjunction with the primary removal of a pedunculated skin tag.	<input checked="" type="checkbox"/>
➤ Includes content on the use of a local anesthetic in conjunction with the primary removal of a pedunculated skin tag.	<input checked="" type="checkbox"/>
➤ Includes content on the performance of a selective laser trabeculoplasty.	<input type="checkbox"/>
➤ Includes content on the performance of a posterior capsulotomy using an Yttrium aluminum garnet laser.	<input type="checkbox"/>
➤ Is proctored by an ophthalmologist or is proctored by an optometrist who is authorized to perform all of the procedures set forth in 36-7-1(9) by the optometric licensing board of a state in which a qualified optometrist may perform all of those procedures.	<input checked="" type="checkbox"/>

Does this course offer any practice management components? ☐ YES ☒ NO

Is this course COPE approved? ☐ YES ☒ NO

INSTRUCTIONS

Please submit a course outline with this form.

Submission of this document does not guarantee approval. The Course must be approved by the Board before licensees will receive credit for its completion. The Board will review at the next scheduled meeting. Special meetings will not be held for approval of continuing education. The person submitting the form will receive confirmation of the Board’s decision after its meeting.

By signing this form, I attest that all information contained herein, to the best of my knowledge and belief, is true and correct and made for the purpose stated herein.

Signature: Julie K. Williams -S Digitally signed by Julie K. Williams -S  
Date: 2024.04.08 16:34:25 -05'00' Date: 04/08/2024

**For Board Use Only:**

Date of Approval: \_\_\_\_\_

Board Notes:

Date Petitioner Notified: \_\_\_\_\_ Method of Notification: \_\_\_\_\_

Date of Last Revision: March 6, 2024



# Northeastern State University College of Optometry

Tahlequah, Oklahoma

herewith certifies that

**Julie Williams, O.D., F.A.A.O.**

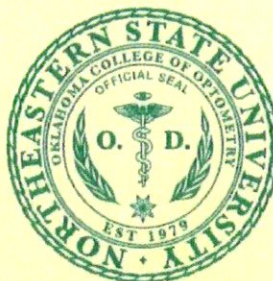
has successfully met all the requirements of a course in

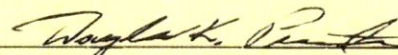
Surgical Procedures for the Optometric Physician

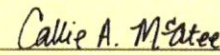
An 18 Hour Course

Altoona, Iowa

December 10-11, 2023



  
Dean, College of Optometry

  
Course Coordinator



## NORTHEASTERN STATE UNIVERSITY

Monday, December 18, 2023

License Number: Iowa 02309, MN 3000, SD 607, NE 1233

Julie Williams, O.D.  
PO Box 117  
Wagner, SD 57380

Re: Certification of Continuing Education

This is to certify that **Julie Williams, O.D.** attended **Surgical Procedures for the Optometric Physician** accredited by Northeastern State University Oklahoma College of Optometry. The conference was held at Prairie Meadows Casino, Racetrack and Hotel in Altoona, IA on December 10-11, 2023. Eighteen (18) COPE approved hours of continuing medical education were available. **Dr. Williams** completed a total of **18** hours, listed below. If you have any questions regarding this matter please contact me at 918.316.3602 or by e-mail at [mcateec@nsuok.edu](mailto:mcateec@nsuok.edu).

Nathan Lighthizer, OD  
1 hour  
Dec. 10, 2023

"Intro to Optometric Surgery, Consents, Ophthalmic Surgical Instruments and Asepsis"  
Therapeutic

Jeff Miller, OD  
1 hour  
Dec. 10, 2023

"Review of Surgical Anatomy of the Ocular Adnexa & Eyelids"  
Therapeutic

Nathan Lighthizer, OD  
2 hours  
Dec. 10, 2023

"Eyelid Lesions: A Thorough Overview"  
Therapeutic

Jeff Miller, OD  
1 hour  
Dec. 10, 2023

"Office based local anesthesia"  
Therapeutic

Nathan Lighthizer, OD  
1 hour  
Dec. 10, 2023

"Radiofrequency Surgery & Lesion Removals in Optometric Practice"  
Therapeutic

Nathan Lighthizer, OD  
1 hour  
Dec. 10, 2023

"IPL In Optometric Practice"  
Therapeutic

Nathan Lighthizer, OD  
2 hours  
Dec. 10, 2023

"Chalazion Management and Botox Applications"  
Therapeutic

Nathan Lighthizer, OD  
2 hours  
Dec. 11, 2023

"Video Grand Rounds & Surgical Concepts"  
Therapeutic

Nathan Lighthizer, OD  
1 hour  
Dec. 11, 2023

"Intro to Suturing"  
Therapeutic

Jeff Miller, OD  
Joseph Shetler, OD  
Nathan Lighthizer, OD  
Douglas Penisten, OD, PhD  
4 hours  
Dec. 11, 2023

"Lab Rotations"  
Therapeutic

## Oklahoma College of Optometry | Office of Continuing Medical Education

1001 N. Grand Ave. | Tahlequah, Oklahoma 74464 | P 918.444.4033 | F 918.458.2104

[www.nsuok.edu](http://www.nsuok.edu)

Nathan Lighthizer, OD  
1 hour  
Dec. 11, 2023

"Ophthalmic Applications of Botox"  
Therapeutic

Jeff Miller, OD  
Joseph Shetler, OD  
Nathan Lighthizer, OD  
Douglas Penisten, OD, PhD  
1 hour  
Dec. 11, 2023

"Ophthalmic Applications of Botox Lab"  
Therapeutic

Sincerely,

*Callie McAtee*

Callie McAtee, M.S.  
Coordinator of Continuing Medical Education

\*NOTE: The above continuing education hours have been reported to ARBO. For OD's holding an Oklahoma license, the hours have also been reported to the Oklahoma Board of Examiners in Optometry. Please retain a copy of this letter for your records. A \$15 records fee is charged for replacement. Duplication of this letter is permitted for submission to other Boards of Optometry.





This Continuing Education (CE) Certificate of Completion  
is awarded to

**Julie Williams**

For the satisfactory completion of the following course:

# Lumps and Bumps: A Practical Guide to Evaluation and Management

COPE ID: NON-COPE

Hours: 2

Category: Trt/Mngmnt Ocular Disease

Date: 03/14/2022

Course Format  
Lecture

Digital Validation  
NONCOPE-646760

Provider  
Iowa Optometric Association  
Sponsoring Institution  
None

## Signature Agreement

By signing this document, I do hereby attest that I personally attended the listed course(s) and the information included is accurate to the best of my knowledge. I understand that the information attested to in this certificate may be shared with relevant optometry licensing boards or other state agency responsible for the licensure and regulation of optometrists.

*Julie K Williams OD, FAAO*  
Signature

*12/26/2023*  
Date



This Continuing Education (CE) Certificate of Completion  
is awarded to

**Julie Williams**

For the satisfactory completion of the following course:

**Injectons for the Optometrist + Anaphylaxis Management**

COPE ID: NON-COPE

Hours: 2

Category: Injection Skills

Date: 03/21/2022

Course Format

Lecture

Digital Validation

NONCOPE-646761

Provider

Iowa Optometric Association

Sponsoring Institution

None

**Signature Agreement**

By signing this document, I do hereby attest that I personally attended the listed course(s) and the information included is accurate to the best of my knowledge. I understand that the information attested to in this certificate may be shared with relevant optometry licensing boards or other state agency responsible for the licensure and regulation of optometrists.

*Julie K. Williams, OD, FAO*  
Signature

12/26/2023  
Date





This Continuing Education (CE) Certificate of Completion  
is awarded to

**Julie Williams**

For the satisfactory completion of the following course:

# Optometric Surgical Procedures for Every Optometrist

COPE ID: NON-COPE

Hours: 2

Category: Surgery Procedures (Optometric)

Date: 03/28/2022

Course Format  
Lecture  
Digital Validation  
NONCOPE-646762

Provider  
Iowa Optometric Association  
Sponsoring Institution  
None

## Signature Agreement

By signing this document, I do hereby attest that I personally attended the listed course(s) and the information included is accurate to the best of my knowledge. I understand that the information attested to in this certificate may be shared with relevant optometry licensing boards or other state agency responsible for the licensure and regulation of optometrists.

*Julie K Williams, OD, FAAD*  
Signature

12/26/2023  
Date

## **Surgical Procedures Course Injections Description**

**Surgical Procedures for the Optometric Physician** presents the educational and technical skills necessary for optometric surgical procedures performed in a primary eye care setting. Topics include a review of facial and ocular anatomy, surgical instruments, asepsis, ocular lesions, anesthesia, injections including intradermal, intramuscular, sub-conjunctival, and intravenous, wound management, basic suture technique, and techniques for performing in-office optometric surgical procedures. The indications for, alternatives to, and risks/benefits of all techniques are discussed, as well as management of possible complications. Multiple hours of video grand rounds of actual procedures performed by optometrists will be shown. In addition to lecture and video grand rounds, the course includes a hands-on workshop.

A thorough review of proper injection technique for subcutaneous/intradermal, intramuscular, subconjunctival, and intravenous is covered. Both didactic lecture and hands on laboratory training are included where attendees can gain hands on experience and skills. All aspects of those injections are covered in detail, and the attendee will have a thorough understanding of injection techniques at the completion of the course.

**NSUOCO Laser Procedures Program**  
**16 hours of COPE approved CME**

**Laser Therapy for the Anterior Segment** includes the training and opportunity to learn the technical skills required for performing anterior segment laser procedures. Topics include laser physics, laser tissue interactions, gonioscopy, and an in-depth discussion of the most-commonly performed clinical anterior segment laser procedures including YAG laser capsulotomy, laser peripheral iridotomy (PI), green laser trabeculoplasty (GLT), selective laser trabeculoplasty (SLT), and green laser peripheral iridoplasty. The indications, contraindications, alternative treatment options, risks, benefits, and procedural techniques are discussed in detail, as well as management of possible complications. Lecture is followed by hands-on laboratory training utilizing the Green, YAG, and SLT lasers.

## Board of Examiners in Optometry Licensing Requirements

The Board of Examiners in Optometry is responsible for ensuring the competency and ethical practice of optometrists to safeguard the eye health and well-being of South Dakota residents. This web page provides essential information about the licensing requirements and processes for those seeking to practice optometry in the state.

All new applicants, not currently licensed in South Dakota, are required to apply using the general application. Beginning July 1, 2024, South Dakota licensed optometrists have been given legislative authority to apply for advanced procedure certifications to be added to their license. Advanced procedures will be added to your license through a separate application and approval process as described below.

### Not sure which application to use?

- **General Application:**
  - Not currently licensed in South Dakota, but you would like to be.
- **Advanced Procedures Application(s):**
  - Currently licensed in South Dakota and would like to apply for advanced procedures.
  - Not currently licensed in South Dakota, but would like to submit as a supplement to the general application to add advanced procedures to initial certification.

### Initial Review

Upon receipt of an application for an initial certificate of registration, endorsement, or advanced procedures, the executive secretary shall review to determine if the applicant has submitted all required documents, information, non-refundable fees, and other materials. The executive secretary shall notify the applicant of any materials missing from the application. The applicant has 180 days from the date of notice to provide the information intended to complete the application. If an applicant fails to submit required materials within 180 days of notice that materials are missing from the application, the application will be deemed withdrawn. The executive secretary shall notify the applicant if an application is designated as withdrawn. The applicant is not precluded from reapplying at the expiration of the 180 day period, but all required documents, information, non-refundable fees, and other materials must be resubmitted with such reapplication.

### Processing Applications

The executive secretary shall initiate the processing of complete applications after receiving documentation from primary sources to verify that the applicant has met the requirements of applicable statutes and regulations.

### Investigation of Application

The executive secretary may determine that the information disclosed in an application or primary source documentation requires inquiry to determine whether the applicant meets the qualifications or standards for the issuance of a license. The executive secretary may conduct that inquiry or may provide the matter to the board investigator for investigation.

The application may be typed in PDF form but must be printed and then signed by a notary prior to mailing. The application fee must accompany this notarized document.

# GENERAL APPLICATION:

**\*ONLY FOR APPLICANTS NOT CURRENTLY LICENSED IN SOUTH DAKOTA: \$175.00 Application Fee**

**GENERAL APPLICATION LINK**

If this application is approved, the privileges granted through this approval include:

**36-7-1.** The practice of optometry is declared to be a profession and is defined as:


- (1) The examination of the human eye and its appendages;
- (2) The employment of any means for the measurement of the powers of visions, or any visual, muscular, neurological, interpretative, or anatomical anomaly of the visual process;
- (3) The prescribing or employment of lenses, prisms, frames, mountings, and visual training procedures;
- (4) The prescribing or administration, except by injection unless otherwise permitted by this chapter, of any pharmaceutical agent rational to the diagnosis and treatment of the human eye and its appendages;
- (5) The employment of any means or method for the correction, remedy, or relief of any insufficiency or abnormal condition of the visual process of the human eye and its appendages, provided the term "any means or method" does not include surgeries, unless otherwise permitted by this chapter;
- (6) The removal of a superficial foreign body from the eye;
- (7) The prescribing of contact lenses, except by a physician licensed under chapter 36-4;
- (8) The use of intense pulsed light for the treatment of dry eye disease;

## ADVANCED PROCEDURES APPLICATION:

Advanced procedures have been approved by legislative authority. (Optometrists may not perform these procedures until they have applied using this application and met requirements described there-in.)

Once the board has received the verifiable evidence of competency in procedures, a designation will be placed after their license number to indicate certification. Optometrists may apply for one or all of the following:

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)
- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)
- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)
- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

 If an optometrist receives certification in all of the above procedures, an (**AP**) will be placed after their license number.

\*Any procedure referenced above, when performed by an optometrist licensed in SDCL [36-7](#), does not constitute the practice of medicine, for purposes of SDCL 36-4. Nothing in the scope of practice may be construed to allow the performance of intraocular injections, intraocular surgery, or refractive surgery by an optometrist.

**GRADUATED OPTOMETRY SCHOOL PRIOR  
TO JULY 1, 2024**



- Must complete a course approved by this board. It will be at least 32 hours in duration and include content set forth by 36-7-1. List of approved courses: [Approved AP Courses](#)
- Must demonstrate competency of procedure(s) for which he/she has applied and this must be proctored by an ophthalmologist or an optometrist who is authorized to perform all advanced procedures outlined above.
- Detailed instructions for how to demonstrate competency in these requirements contained in the applications below.

**GRADUATED OPTOMETRY SCHOOL AFTER  
JULY 1, 2024**



- Must complete a course approved by this board. It will be at least 32 hours in duration and include content set forth by 36-7-1. List of approved courses: [Approved AP Courses](#)
- Must demonstrate competency of procedure(s) for which he/she has applied and this must be proctored by an ophthalmologist or an optometrist who is authorized to perform all advanced procedures outlined above.
- Must receive a passing score on the laser and surgical procedures examination, offered by the National Board of Examiners in Optometry.
- Detailed instructions for how to demonstrate competency in these requirements contained in the applications below.

\*Documentation for completion of the approved advanced procedures course may be submitted to the Board upon completion. It will be kept on file for reference during the application process. Completion of the course is required; however, it may be submitted separately from the application and used to meet license renewal continuing education requirements. **\*You are required to complete the course prior to demonstration of competency on live eyes.**

If you wish to apply for all five advanced procedures, use this application: —————➔

**ADVANCED PROCEDURES (AP)**

If you wish to apply for advanced procedures separately, you will be required to submit a separate application for each procedures (\$100.00 Application Fee for Each Procedure):

- |   |                            |
|---|----------------------------|
| ➤ Intradermal Injection of a Paralytic Agent —————➔                                     | <b>INJ-PA Application</b>  |
| ➤ Intralesional Injection of a Steroid to Treat a Chalazion —————➔                      | <b>INJ-S Application</b>   |
| ➤ Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag ➔ | <b>ST Application</b>      |
| ➤ Performance of a Selective Laser Trabeculoplasty —————➔                               | <b>LAS-T Application</b>   |
| ➤ Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser ➔       | <b>LAS-YAG Application</b> |

## Fees

- Initial Application Fee: \$175.00
- Yearly license Fee: \$300.00
  - Due by September 30th of each year
  - New license fees are pro-rated according to the date of licensure
- Advanced Procedures Fee:
  - If submitting request for all five procedures using same application: \$200.00
  - If submitting applications for procedures separately: \$100.00 per application



## South Dakota Board of Optometry Online Verification

[Download](#)

\*This board only licenses the profession of optometrists (OD)

The verification of licensure information generated from this system is considered primary source verification by the South Dakota Board of Examiners in Optometry. It is in "real time" with the board's licensure database. This report is a secure electronic communication of the South Dakota Board of Optometry.

Last Name

First Name

License #

Search

LAST ↑	FIRST	LICENSE #	ISSUED	EXPIRATION	STATUS	DISCIPLINE	TYPE	ADDRESS	CITY, ST, ZIP
Ackerman	Ryan	633	4/1/2007	9/30/2024	Active	None	TPA	502 1st Ave	Rock Rapids, IA, 51246
Albers-Kleinsasser	Katelin	734	2/20/2017	9/30/2024	Active	None	TPA	PO Box 948	Huron , SD, 57350
Allmer	Derek	563	3/1/2000	9/30/2024	Active	None	TPA	None	City, ST, 00000
Anderson	Eva	738	6/14/2017	9/30/2024	Active	None	TPA	5129 South Western Avenue	Sioux Falls, SD, 57108





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

## **APPLICATION FOR COMPREHENSIVE ADVANCED PROCEDURES CERTIFICATION (AP)**

### **Application Processing Fee: \$200**

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). Until this application has been approved, your current license does not authorize you to practice these procedures in an unsupervised setting. Completion of this application indicates that you intend to provide evidence of competency in the following procedures:

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)
- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)
- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)
- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)



If an optometrist receives certification in all of the above procedures, an (**AP**) will be placed after their license number.

**Please Note:** If you only want to complete certification for specific procedures, you will be required to use separate applications for each procedure. These applications can be found on the Board's website. If any sections of this application are incomplete, it will not be processed for approval and will be returned to the applicant.

### **Requirements for Advanced Procedure Competency**

- Completion of a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board. A list of approved courses may be found on the Board's website. Completion of this course is required; however, it may be submitted separately from this application and used to meet license renewal continuing education requirements. **This step must be completed prior performing procedures to demonstrate competency.**
- **AFTER** completion of the approved course, demonstration of competency under the presence and direct supervision of an ophthalmologist licensed in this state, or in the presence and under the direct supervision of an optometrist licensed in this state and authorized by this Board to perform all of the procedures set forth below:
  - Intradermal Injection of a Paralytic Agent: 5 Human Eyes
  - Intralesional Injection of a Steroid to Treat a Chalazion: 5 Human Eyes
  - Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag: 5 Human Eyes
  - Performance of a Selective Laser Trabeculoplasty: 5 Human Eyes
  - Performance of a Posterior Capsulotomy Using an Yttrium Aluminum Garnet Laser: 10 Human Eyes

**Instructions:**

- 1) Complete an advanced procedures course approved by the Board and submit verification.

**Please Note:** You may not begin these procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

- 2) Work with a qualified, supervising optometrist or ophthalmologist to demonstrate the competencies listed above.
- 3) Give the form found on page 4-6 of the application to the supervising ophthalmologist or optometrist. Using this form, the supervisor shall notify the board when all requirements of all procedures have been met. Please instruct them not to submit this form until it is complete. Upon completion, it may be emailed or mailed to the Board directly from the supervising ophthalmologist or optometrist.
- 4) Upon completion of the course and procedure competency, the applicant will submit the completed, notarized application to the Board with a \$200 application processing fee. If an application is determined to be incomplete, the application and payment will be returned to the applicant.

**MUST BE COMPLETED BY APPLICANT**

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

- Have you completed a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board? ☐ Yes ☐ No
- Please check one:
  - ☐ I have already submitted certification of this course to the Board.
  - ☐ I will be including certification of this course with this application.
- Have you verified that the individual(s) supervising your competency in these advanced procedures is either an ophthalmologist licensed in South Dakota or an optometrist licensed in South Dakota and is authorized by this Board to perform all of the procedures in which you have applied? **(This optometrist will have an AP designation associated with their license number on the verification page of the Board's website, which is the highest level of licensure in this state.)**  
☐ Yes ☐ No
- Have you graduated from optometry school prior to July 1, 2024. ☐ Yes ☐ No  
**\*If yes, you may skip the section in the box below.**

**MUST BE COMPLETED BY APPLICANTS WHO GRADUATED OPTOMETRY SCHOOL  
AFTER JULY 1, 2024**

Any applicant who graduated optometry school after July 1, 2024, is required to submit certification of a passing score on the Laser and Surgical Procedures Examination (LSPE) offered by the National Board of Examiners in Optometry (NBEO) in addition to the requirements listed previously in this application.

- Have you submitted verification to the Board to demonstrate passing of the LSPE portion of the NBEO? ☐ Yes ☐ No

**Please Note: If you answered no to this question, your application will be considered incomplete and returned to you.**

I hereby authorize the South Dakota 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 state 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. I will not practice advanced procedures until I have confirmation of a completed application and designation of "AP" associated with my SD Optometry license.

**Signature of Applicant:** (To be signed in the presence a of notary public)

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

**APPLICATION MUST BE NOTARIZED**

Printed Name of Notary Public: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

My commission expires: \_\_\_\_\_

SEAL



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PO Box 513, Wall, SD 57790  
**Email:** [sdoptboard@goldenwest.net](mailto:sdoptboard@goldenwest.net)  
**Phone:** 605-279-2244  
**Web:** <http://optometry.sd.gov>

## ADVANCED PROCEDURES DEMONSTRATION OF COMPETENCY

Name of Applicant: \_\_\_\_\_ License #: \_\_\_\_\_

**Please Note:** You may not begin these advanced procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). The requirements for licensing in these advanced procedures include demonstration of competency under the presence and direct supervision by:

- 1) An ophthalmologist licensed in South Dakota or
- 2) An optometrist licensed in South Dakota and authorized by this Board to perform all of the advanced procedures set forth in this document. Because they have completed all procedures, they will have an “AP” designation associated with their license.

\*Professionals meeting the qualifications above will further be referenced as “supervisors”.

Supervisors will sign only on the sections in which they observed completion. By signing this form on behalf of the applicant listed above, you are indicating that you meet these qualifications to observe the applicant’s demonstration of competency in the following procedures:

- Intradermal Injection of a Paralytic Agent (INJ-PA)
- Intralesional Injection of a Steroid to Treat a Chalazion (INJ-S)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (ST)
- Performance of a Selective Laser Trabeculoplasty (LAS-T)
- Performance of a Posterior Capsulotomy Using an Yttrium Aluminum Garnet Laser (LAS-YAG)

You are further indicating that by your signature, under penalty of perjury, you certify that the foregoing information is true and correct. That you personally witnessed the designated procedures performed by the above-named applicant and understand that falsely reporting such supervision may be grounds for disciplinary action. Applicants and supervisors must be physically present at the same location as the procedures are conducted.

**Upon submission of this completed form, qualifications of “supervisors” will be verified with respective licensing boards.**

<b>PROCEDURE 1</b>			
<b>Intradermal Injection of a Paralytic Agent (INJ-PA)</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

<b>PROCEDURE 2</b>			
<b>Intralesional Injection of a Steroid to Treat a Chalazion (INJ-S)</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

<b>PROCEDURE 3</b>			
<b>Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (ST)</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

<b>PROCEDURE 4</b>			
<b>Performance of a Selective Laser Trabeculoplasty (LAS-T)</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

<b>PROCEDURE 5</b>			
<b>Performance of a Posterior Capsulotomy Using an Yttrium Aluminum Garnet Laser (LAS-YAG)</b>			
<b>Requirement: 10 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			
EYE 6			
EYE 7			
EYE 8			
EYE 9			
EYE 10			

Upon completion of the final procedure, the final “supervisor” shall return, via postal mail or email, this form directly to the Board:

**South Dakota Board of Examiners in Optometry**  
**PO Box 513**  
**Wall, SD 57790**  
**(605) 279-2244**  
**sdoptboard@goldenwest.net**



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**Web:** <http://optometry.sd.gov>

## **APPLICATION FOR INTRADERMAL INJECTION OF A PARALYTIC AGENT CERTIFICATION (INJ-PA)**

### **Application Processing Fee: \$100**

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). Until this application has been approved, your current license does not authorize you to practice these procedures in an unsupervised setting. Completion of this application indicates that you intend to provide evidence of competency in the following procedure and no other:

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)

**The following procedures require a separate application from this one:**

- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)
- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)
- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

**Please Note:** All applications can be found on the Board's website. If any sections of this application are incomplete, it will not be processed for approval and will be returned to the applicant.

### **Requirements for Advanced Procedure Competency**

- Completion of a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board. A list of approved courses may be found on the Board's website. Completion of this course is required; however, it may be submitted separately from this application and used to meet license renewal continuing education requirements. **This step must be completed prior performing procedures to demonstrate competency.**
- **AFTER** completion of the approved course, demonstration of competency under the presence and direct supervision of an ophthalmologist licensed in this state, or in the presence and under the direct supervision of an optometrists licensed in this state and authorized by this Board to perform the procedure set forth below:
  - Intradermal Injection of a Paralytic Agent: 5 Human Eyes

**Instructions:**

- 1) Complete an advanced procedures course approved by the Board and submit verification.

**Please Note:** You may not begin these procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

- 2) Work with a qualified, supervising optometrist or ophthalmologist to demonstrate the competencies listed above.
- 3) Give the form found on page 4-5 of the application to the supervising ophthalmologist or optometrist. Using this form, the supervisor shall notify the board when all requirements of all procedures have been met. Please instruct them not to submit this form until it is complete. Upon completion, it may be emailed or mailed to the Board directly from the supervising ophthalmologist or optometrist.
- 4) Upon completion of the course and procedure competency, the applicant will submit the completed, notarized application to the Board with a \$100 application processing fee. If an application is determined to be incomplete, the application and payment will be returned to the applicant.

**MUST BE COMPLETED BY APPLICANT**

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

- Have you completed a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board? ☐ Yes ☐ No
- Please check one:
  - ☐ I have already submitted certification of this course to the Board.
  - ☐ I will be including certification of this course with this application.
- Have you verified that the individual(s) supervising your competency in these advanced procedures is either an ophthalmologist licensed in South Dakota or an optometrist licensed in South Dakota and is authorized by this Board to perform all of the procedures in which you have applied? **(This optometrist will have an AP designation associated with their license number on the verification page of the Board's website, which is the highest level of licensure in this state.)**  
☐ Yes ☐ No
- Have you graduated from optometry school prior to July 1, 2024. ☐ Yes ☐ No  
**\*If yes, you may skip the section in the box below.**



**MUST BE COMPLETED BY APPLICANTS WHO GRADUATED OPTOMETRY SCHOOL  
AFTER JULY 1, 2024**

Any applicant who graduated optometry school after July 1, 2024, is required to submit certification of a passing score on the Laser and Surgical Procedures Examination (LSPE) offered by the National Board of Examiners in Optometry (NBEO) in addition to the requirements listed previously in this application.

- Have you submitted verification to the Board to demonstrate passing of the LSPE portion of the NBEO? ☐ Yes ☐ No

**Please Note: If you answered no to this question, your application will be considered incomplete and returned to you.**

I hereby authorize the South Dakota 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 state 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. I will not practice this procedure until I have confirmation of a completed application and designation of "INJ-PA" associated with my SD Optometry license.

**Signature of Applicant:** (To be signed in the presence a of notary public)

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

**APPLICATION MUST BE NOTARIZED**

Printed Name of Notary Public: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

My commission expires: \_\_\_\_\_

SEAL



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## INTRADERMAL INJECTION OF A PARALYTIC AGENT DEMONSTRATION OF COMPETENCY

Name of Applicant: \_\_\_\_\_ License #: \_\_\_\_\_

**Please Note:** You may not begin this procedure to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). The requirements for licensing in these advanced procedures include demonstration of competency under the presence and direct supervision by:

- 1) An ophthalmologist licensed in South Dakota or
- 2) An optometrist licensed in South Dakota and authorized by this Board to perform all of the advanced procedures set forth in this document. Because they have completed all procedures, they will have an “AP” designation associated with their license.

\*Professionals meeting the qualifications above will further be referenced as “supervisors”.

Supervisors will sign only on the sections in which they observed completion. By signing this form on behalf of the applicant listed above, you are indicating that you meet these qualifications to observe the applicant’s demonstration of competency in the following procedure:

➤ Intradermal Injection of a Paralytic Agent (INJ-PA)

You are further indicating that by your signature, under penalty of perjury, you certify that the foregoing information is true and correct. That you personally witnessed the designated procedures performed by the above-named applicant and understand that falsely reporting such supervision may be grounds for disciplinary action. Applicants and supervisors must be physically present at the same location as the procedures are conducted.

**Upon submission of this completed form, qualifications of “supervisors” will be verified with respective licensing boards.**

<b>PROCEDURE</b>			
<b>Intradermal Injection of a Paralytic Agent (INJ-PA)</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

Upon completion of the final procedure, the final “supervisor” shall return, via postal mail or email, this form directly to the Board:

**South Dakota Board of Examiners in Optometry**  
**PO Box 513**  
**Wall, SD 57790**  
**(605) 279-2244**  
**sdoptboard@goldenwest.net**



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

**APPLICATION FOR INTRALESIONAL INJECTION OF A STEROID TO TREAT A CHALAZION  
CERTIFICATION (INJ-S)  
Application Processing Fee: \$100**

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). Until this application has been approved, your current license does not authorize you to practice these procedures in an unsupervised setting. Completion of this application indicates that you intend to provide evidence of competency in the following procedure and no other:

- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)

**The following procedures require a separate application from this one:**

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)
- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)
- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

**Please Note:** All applications can be found on the Board's website. If any sections of this application are incomplete, it will not be processed for approval and will be returned to the applicant.

**Requirements for Advanced Procedure Competency**

- Completion of a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board. A list of approved courses may be found on the Board's website. Completion of this course is required; however, it may be submitted separately from this application and used to meet license renewal continuing education requirements. **This step must be completed prior performing procedures to demonstrate competency.**
- **AFTER** completion of the approved course, demonstration of competency under the presence and direct supervision of an ophthalmologist licensed in this state, or in the presence and under the direct supervision of an optometrists licensed in this state and authorized by this Board to perform the procedure set forth below:

- Intralesional Injection of a Steroid to Treat a Chalazion: 5 Human Eyes

**Instructions:**

- 1) Complete an advanced procedures course approved by the Board and submit verification.

**Please Note:** You may not begin these procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

- 2) Work with a qualified, supervising optometrist or ophthalmologist to demonstrate the competencies listed above.
- 3) Give the form found on page 4-5 of the application to the supervising ophthalmologist or optometrist. Using this form, the supervisor shall notify the board when all requirements of all procedures have been met. Please instruct them not to submit this form until it is complete. Upon completion, it may be emailed or mailed to the Board directly from the supervising ophthalmologist or optometrist.
- 4) Upon completion of the course and procedure competency, the applicant will submit the completed, notarized application to the Board with a \$100 application processing fee. If an application is determined to be incomplete, the application and payment will be returned to the applicant.

**MUST BE COMPLETED BY APPLICANT**

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

- Have you completed a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board? ☐ Yes ☐ No
- Please check one:
  - ☐ I have already submitted certification of this course to the Board.
  - ☐ I will be including certification of this course with this application.
- Have you verified that the individual(s) supervising your competency in these advanced procedures is either an ophthalmologist licensed in South Dakota or an optometrist licensed in South Dakota and is authorized by this Board to perform all of the procedures in which you have applied? **(This optometrist will have an AP designation associated with their license number on the verification page of the Board's website, which is the highest level of licensure in this state.)**  
☐ Yes ☐ No
- Have you graduated from optometry school prior to July 1, 2024. ☐ Yes ☐ No  
**\*If yes, you may skip the section in the box below.**

**MUST BE COMPLETED BY APPLICANTS WHO GRADUATED OPTOMETRY SCHOOL  
AFTER JULY 1, 2024**

Any applicant who graduated optometry school after July 1, 2024, is required to submit certification of a passing score on the Laser and Surgical Procedures Examination (LSPE) offered by the National Board of Examiners in Optometry (NBEO) in addition to the requirements listed previously in this application.

- Have you submitted verification to the Board to demonstrate passing of the LSPE portion of the NBEO? ☐ Yes ☐ No

**Please Note: If you answered no to this question, your application will be considered incomplete and returned to you.**

I hereby authorize the South Dakota 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 state 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. I will not practice this procedure until I have confirmation of a completed application and designation of "INJ-S" associated with my SD Optometry license.

**Signature of Applicant:** (To be signed in the presence a of notary public)

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

**APPLICATION MUST BE NOTARIZED**

Printed Name of Notary Public: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

My commission expires: \_\_\_\_\_

SEAL



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

## INTRALESIONAL INJECTION OF A STEROID TO TREAT A CHALAZION DEMONSTRATION OF COMPETENCY

Name of Applicant: \_\_\_\_\_ License #: \_\_\_\_\_

**Please Note:** You may not begin this procedure to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). The requirements for licensing in these advanced procedures include demonstration of competency under the presence and direct supervision by:

- 1) An ophthalmologist licensed in South Dakota or
- 2) An optometrist licensed in South Dakota and authorized by this Board to perform all of the advanced procedures set forth in this document. Because they have completed all procedures, they will have an “AP” designation associated with their license.

\*Professionals meeting the qualifications above will further be referenced as “supervisors”.

Supervisors will sign only on the sections in which they observed completion. By signing this form on behalf of the applicant listed above, you are indicating that you meet these qualifications to observe the applicant’s demonstration of competency in the following procedure:

- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)

You are further indicating that by your signature, under penalty of perjury, you certify that the foregoing information is true and correct. That you personally witnessed the designated procedures performed by the above-named applicant and understand that falsely reporting such supervision may be grounds for disciplinary action. Applicants and supervisors must be physically present at the same location as the procedures are conducted.

**Upon submission of this completed form, qualifications of “supervisors” will be verified with respective licensing boards.**

<b>PROCEDURE</b>			
<b>Intralesional Injection of a Steroid to Treat a Chalazion</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

Upon completion of the final procedure, the final “supervisor” shall return, via postal mail or email, this form directly to the Board:

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**PO Box 513**  
**Wall, SD 57790**  
**(605) 279-2244**  
**[sdoptboard@goldenwest.net](mailto:sdoptboard@goldenwest.net)**





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**Phone:** 605-279-2244  
**Web:** <http://optometry.sd.gov>

**APPLICATION FOR PERFORMANCE OF A SELECTIVE LASER TRABECULOPLASTY  
CERTIFICATION (LAS-T)  
Application Processing Fee: \$100**

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). Until this application has been approved, your current license does not authorize you to practice these procedures in an unsupervised setting. Completion of this application indicates that you intend to provide evidence of competency in the following procedure and no other:

- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)

**The following procedures require a separate application from this one:**

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)
- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)
- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

**Please Note:** All applications can be found on the Board's website. If any sections of this application are incomplete, it will not be processed for approval and will be returned to the applicant.

**Requirements for Advanced Procedure Competency**

- Completion of a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board. A list of approved courses may be found on the Board's website. Completion of this course is required; however, it may be submitted separately from this application and used to meet license renewal continuing education requirements. **This step must be completed prior performing procedures to demonstrate competency.**
- **AFTER** completion of the approved course, demonstration of competency under the presence and direct supervision of an ophthalmologist licensed in this state, or in the presence and under the direct supervision of an optometrists licensed in this state and authorized by this Board to perform the procedure set forth below:
  - Performance of a Selective Laser Trabeculoplasty: 5 Human Eyes

**Instructions:**

- 1) Complete an advanced procedures course approved by the Board and submit verification.

**Please Note:** You may not begin these procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

- 2) Work with a qualified, supervising optometrist or ophthalmologist to demonstrate the competencies listed above.
- 3) Give the form found on page 4-5 of the application to the supervising ophthalmologist or optometrist. Using this form, the supervisor shall notify the board when all requirements of all procedures have been met. Please instruct them not to submit this form until it is complete. Upon completion, it may be emailed or mailed to the Board directly from the supervising ophthalmologist or optometrist.
- 4) Upon completion of the course and procedure competency, the applicant will submit the completed, notarized application to the Board with a \$100 application processing fee. If an application is determined to be incomplete, the application and payment will be returned to the applicant.

**MUST BE COMPLETED BY APPLICANT**

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

- Have you completed a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board? ☐ Yes ☐ No
- Please check one:
  - ☐ I have already submitted certification of this course to the Board.
  - ☐ I will be including certification of this course with this application.
- Have you verified that the individual(s) supervising your competency in these advanced procedures is either an ophthalmologist licensed in South Dakota or an optometrist licensed in South Dakota and is authorized by this Board to perform all of the procedures in which you have applied? **(This optometrist will have an AP designation associated with their license number on the verification page of the Board's website, which is the highest level of licensure in this state.)**  
☐ Yes ☐ No
- Have you graduated from optometry school prior to July 1, 2024. ☐ Yes ☐ No  
**\*If yes, you may skip the section in the box below.**

**MUST BE COMPLETED BY APPLICANTS WHO GRADUATED OPTOMETRY SCHOOL  
AFTER JULY 1, 2024**

Any applicant who graduated optometry school after July 1, 2024, is required to submit certification of a passing score on the Laser and Surgical Procedures Examination (LSPE) offered by the National Board of Examiners in Optometry (NBEO) in addition to the requirements listed previously in this application.

- Have you submitted verification to the Board to demonstrate passing of the LSPE portion of the NBEO? ☐ Yes ☐ No

**Please Note: If you answered no to this question, your application will be considered incomplete and returned to you.**

I hereby authorize the South Dakota 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 state 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. I will not practice this procedure until I have confirmation of a completed application and designation of "LAS-T" associated with my SD Optometry license.

**Signature of Applicant:** (To be signed in the presence a of notary public)

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

**APPLICATION MUST BE NOTARIZED**

Printed Name of Notary Public: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

My commission expires: \_\_\_\_\_

SEAL



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

## PERFORMANCE OF A SELECTIVE LASER TRABECULOPLASTY DEMONSTRATION OF COMPETENCY

Name of Applicant: \_\_\_\_\_ License #: \_\_\_\_\_

**Please Note:** You may not begin this procedure to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). The requirements for licensing in these advanced procedures include demonstration of competency under the presence and direct supervision by:

- 1) An ophthalmologist licensed in South Dakota or
- 2) An optometrist licensed in South Dakota and authorized by this Board to perform all of the advanced procedures set forth in this document. Because they have completed all procedures, they will have an “AP” designation associated with their license.

\*Professionals meeting the qualifications above will further be referenced as “supervisors”.

Supervisors will sign only on the sections in which they observed completion. By signing this form on behalf of the applicant listed above, you are indicating that you meet these qualifications to observe the applicant’s demonstration of competency in the following procedure:

- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)

You are further indicating that by your signature, under penalty of perjury, you certify that the foregoing information is true and correct. That you personally witnessed the designated procedures performed by the above-named applicant and understand that falsely reporting such supervision may be grounds for disciplinary action. Applicants and supervisors must be physically present at the same location as the procedures are conducted.

**Upon submission of this completed form, qualifications of “supervisors” will be verified with respective licensing boards.**

<b>PROCEDURE</b>			
<b>Performance of a Selective Laser Trabeculoplasty</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

Upon completion of the final procedure, the final “supervisor” shall return, via postal mail or email, this form directly to the Board:

**South Dakota Board of Examiners in Optometry**

**PO Box 513**

**Wall, SD 57790**

**(605) 279-2244**

**[sdoptboard@goldenwest.net](mailto:sdoptboard@goldenwest.net)**



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**Phone:** 605-279-2244  
**Web:** <http://optometry.sd.gov>

**APPLICATION FOR USE OF LOCAL ANESTHETIC IN CONJUNCTION WITH THE PRIMARY  
REMOVAL OF A PEDUNCULATED SKIN TAG CERTIFICATION (ST)**  
**Application Processing Fee: \$100**

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). Until this application has been approved, your current license does not authorize you to practice these procedures in an unsupervised setting. Completion of this application indicates that you intend to provide evidence of competency in the following procedure and no other:

- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)

**The following procedures require a separate application from this one:**

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)
- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)
- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)
- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

**Please Note:** All applications can be found on the Board's website. If any sections of this application are incomplete, it will not be processed for approval and will be returned to the applicant.

**Requirements for Advanced Procedure Competency**

- Completion of a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board. A list of approved courses may be found on the Board's website. Completion of this course is required; however, it may be submitted separately from this application and used to meet license renewal continuing education requirements. **This step must be completed prior performing procedures to demonstrate competency.**
- **AFTER** completion of the approved course, demonstration of competency under the presence and direct supervision of an ophthalmologist licensed in this state, or in the presence and under the direct supervision of an optometrists licensed in this state and authorized by this Board to perform the procedure set forth below:
  - Use of Local Anesthetic in conjunction with the Primary Removal of a Pedunculated Skin Tag:  
5 Human Eyes

**Instructions:**

- 1) Complete an advanced procedures course approved by the Board and submit verification.

**Please Note:** You may not begin these procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

- 2) Work with a qualified, supervising optometrist or ophthalmologist to demonstrate the competencies listed above.
- 3) Give the form found on page 4-5 of the application to the supervising ophthalmologist or optometrist. Using this form, the supervisor shall notify the board when all requirements of all procedures have been met. Please instruct them not to submit this form until it is complete. Upon completion, it may be emailed or mailed to the Board directly from the supervising ophthalmologist or optometrist.
- 4) Upon completion of the course and procedure competency, the applicant will submit the completed, notarized application to the Board with a \$100 application processing fee. If an application is determined to be incomplete, the application and payment will be returned to the applicant.

**MUST BE COMPLETED BY APPLICANT**

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

- Have you completed a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board? ☐ Yes ☐ No
- Please check one:
  - ☐ I have already submitted certification of this course to the Board.
  - ☐ I will be including certification of this course with this application.
- Have you verified that the individual(s) supervising your competency in these advanced procedures is either an ophthalmologist licensed in South Dakota or an optometrist licensed in South Dakota and is authorized by this Board to perform all of the procedures in which you have applied? **(This optometrist will have an AP designation associated with their license number on the verification page of the Board's website, which is the highest level of licensure in this state.)**  
☐ Yes ☐ No
- Have you graduated from optometry school prior to July 1, 2024. ☐ Yes ☐ No  
**\*If yes, you may skip the section in the box below.**

**MUST BE COMPLETED BY APPLICANTS WHO GRADUATED OPTOMETRY SCHOOL  
AFTER JULY 1, 2024**

Any applicant who graduated optometry school after July 1, 2024, is required to submit certification of a passing score on the Laser and Surgical Procedures Examination (LSPE) offered by the National Board of Examiners in Optometry (NBEO) in addition to the requirements listed previously in this application.

- Have you submitted verification to the Board to demonstrate passing of the LSPE portion of the NBEO? ☐ Yes ☐ No

**Please Note: If you answered no to this question, your application will be considered incomplete and returned to you.**

I hereby authorize the South Dakota 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 state 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. I will not practice this procedure until I have confirmation of a completed application and designation of "ST" associated with my SD Optometry license.

**Signature of Applicant:** (To be signed in the presence a of notary public)

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

**APPLICATION MUST BE NOTARIZED**

Printed Name of Notary Public: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

My commission expires: \_\_\_\_\_

SEAL





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

## USE OF LOCAL ANESTHETIC IN CONJUNCTION WITH THE PRIMARY REMOVAL OF A PEDUNCULATED SKIN TAG DEMONSTRATION OF COMPETENCY

Name of Applicant: \_\_\_\_\_ License #: \_\_\_\_\_

**Please Note:** You may not begin this procedure to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). The requirements for licensing in these advanced procedures include demonstration of competency under the presence and direct supervision by:

- 1) An ophthalmologist licensed in South Dakota or
- 2) An optometrist licensed in South Dakota and authorized by this Board to perform all of the advanced procedures set forth in this document. Because they have completed all procedures, they will have an “AP” designation associated with their license.

\*Professionals meeting the qualifications above will further be referenced as “supervisors”.

Supervisors will sign only on the sections in which they observed completion. By signing this form on behalf of the applicant listed above, you are indicating that you meet these qualifications to observe the applicant’s demonstration of competency in the following procedure:

- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)

You are further indicating that by your signature, under penalty of perjury, you certify that the foregoing information is true and correct. That you personally witnessed the designated procedures performed by the above-named applicant and understand that falsely reporting such supervision may be grounds for disciplinary action. Applicants and supervisors must be physically present at the same location as the procedures are conducted.

**Upon submission of this completed form, qualifications of “supervisors” will be verified with respective licensing boards.**

<b>PROCEDURE</b>			
<b>Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag</b>			
<b>Requirement: 5 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			

Upon completion of the final procedure, the final “supervisor” shall return, via postal mail or email, this form directly to the Board:

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**APPLICATION FOR PERFORMANCE OF A POSTERIOR CAPSULOTOMY USING AN YTTRIUM ALUMINUM GARNET LASER CERTIFICATION (LAS-YAG)**  
**Application Processing Fee: \$100**

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). Until this application has been approved, your current license does not authorize you to practice these procedures in an unsupervised setting. Completion of this application indicates that you intend to provide evidence of competency in the following procedure and no other:

- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

**The following procedures require a separate application from this one:**

- Intradermal Injection of a Paralytic Agent (**INJ-PA**)
- Intralesional Injection of a Steroid to Treat a Chalazion (**INJ-S**)
- Use of Local Anesthetic in Conjunction with the Primary Removal of a Pedunculated Skin Tag (**ST**)
- Performance of a Selective Laser Trabeculoplasty (**LAS-T**)

**Please Note:** All applications can be found on the Board's website. If any sections of this application are incomplete, it will not be processed for approval and will be returned to the applicant.

**Requirements for Advanced Procedure Competency**

- Completion of a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board. A list of approved courses may be found on the Board's website. Completion of this course is required; however, it may be submitted separately from this application and used to meet license renewal continuing education requirements. **This step must be completed prior performing procedures to demonstrate competency.**
- **AFTER** completion of the approved course, demonstration of competency under the presence and direct supervision of an ophthalmologist licensed in this state, or in the presence and under the direct supervision of an optometrists licensed in this state and authorized by this Board to perform the procedure set forth below:
  - Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser:  
10 Human Eyes

**Instructions:**

- 1) Complete an advanced procedures course approved by the Board and submit verification.

**Please Note:** You may not begin these procedures to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

- 2) Work with a qualified, supervising optometrist or ophthalmologist to demonstrate the competencies listed above.
- 3) Give the form found on page 4-5 of the application to the supervising ophthalmologist or optometrist. Using this form, the supervisor shall notify the board when all requirements of all procedures have been met. Please instruct them not to submit this form until it is complete. Upon completion, it may be emailed or mailed to the Board directly from the supervising ophthalmologist or optometrist.
- 4) Upon completion of the course and procedure competency, the applicant will submit the completed, notarized application to the Board with a \$100 application processing fee. If an application is determined to be incomplete, the application and payment will be returned to the applicant.

**MUST BE COMPLETED BY APPLICANT**

Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St: \_\_\_\_\_ Zip: \_\_\_\_\_

- Have you completed a course at least 32 hours in duration that includes the content set forth in 36-7-1 that has been approved by the Board? ☐ Yes ☐ No
- Please check one:
  - ☐ I have already submitted certification of this course to the Board.
  - ☐ I will be including certification of this course with this application.
- Have you verified that the individual(s) supervising your competency in these advanced procedures is either an ophthalmologist licensed in South Dakota or an optometrist licensed in South Dakota and is authorized by this Board to perform all of the procedures in which you have applied? **(This optometrist will have an AP designation associated with their license number on the verification page of the Board's website, which is the highest level of licensure in this state.)**  
☐ Yes ☐ No
- Have you graduated from optometry school prior to July 1, 2024. ☐ Yes ☐ No  
**\*If yes, you may skip the section in the box below.**

**MUST BE COMPLETED BY APPLICANTS WHO GRADUATED OPTOMETRY SCHOOL  
AFTER JULY 1, 2024**

Any applicant who graduated optometry school after July 1, 2024, is required to submit certification of a passing score on the Laser and Surgical Procedures Examination (LSPE) offered by the National Board of Examiners in Optometry (NBEO) in addition to the requirements listed previously in this application.

- Have you submitted verification to the Board to demonstrate passing of the LSPE portion of the NBEO? ☐ Yes ☐ No

**Please Note: If you answered no to this question, your application will be considered incomplete and returned to you.**

I hereby authorize the South Dakota 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 state 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. I will not practice this procedure until I have confirmation of a completed application and designation of "LAS-YAG" associated with my SD Optometry license.

**Signature of Applicant:** (To be signed in the presence a of notary public)

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

**APPLICATION MUST BE NOTARIZED**

Printed Name of Notary Public: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

My commission expires: \_\_\_\_\_

SEAL



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

## PERFORMANCE OF A POSTERIOR CAPSULOTOMY USING AN YTTRIUM ALUMINUM GARNET LASER DEMONSTRATION OF COMPETENCY

Name of Applicant: \_\_\_\_\_ License #: \_\_\_\_\_

**Please Note:** You may not begin this procedure to demonstrate competency prior to submitting verification of completion of the approved advanced procedures course to the Board.

Effective July 1, 2024, South Dakota optometrists may perform the advanced procedures as outlined in 36-7-1(9). The requirements for licensing in these advanced procedures include demonstration of competency under the presence and direct supervision by:

- 1) An ophthalmologist licensed in South Dakota or
- 2) An optometrist licensed in South Dakota and authorized by this Board to perform all of the advanced procedures set forth in this document. Because they have completed all procedures, they will have an "AP" designation associated with their license.

\*Professionals meeting the qualifications above will further be referenced as "supervisors".

Supervisors will sign only on the sections in which they observed completion. By signing this form on behalf of the applicant listed above, you are indicating that you meet these qualifications to observe the applicant's demonstration of competency in the following procedure:

- Performance of a Posterior Capsulotomy using an Yttrium Aluminum Garnet Laser (**LAS-YAG**)

You are further indicating that by your signature, under penalty of perjury, you certify that the foregoing information is true and correct. That you personally witnessed the designated procedures performed by the above-named applicant and understand that falsely reporting such supervision may be grounds for disciplinary action. Applicants and supervisors must be physically present at the same location as the procedures are conducted.

**Upon submission of this completed form, qualifications of "supervisors" will be verified with respective licensing boards.**

<b>PROCEDURE</b>			
<b>Performance of a Posterior Capsulotomy Using an Yttrium Aluminum Garnet Laser (LAS-YAG)</b>			
<b>Requirement: 10 Human Eyes</b>			
	<b>Supervisor (Printed Name)</b>	<b>Supervisor (Signature)</b>	<b>Date</b>
EYE 1			
EYE 2			
EYE 3			
EYE 4			
EYE 5			
EYE 6			
EYE 7			
EYE 8			
EYE 9			
EYE 10			

Upon completion of the final procedure, the final “supervisor” shall return, via postal mail or email, this form directly to the Board:

**South Dakota Board of Examiners in Optometry**  
**PO Box 513**  
**Wall, SD 57790**  
**(605) 279-2244**  
**sdoptboard@goldenwest.net**

ADMINISTRATIVE RULES

of

SOUTH DAKOTA

Cite as ARSD \_\_\_\_\_

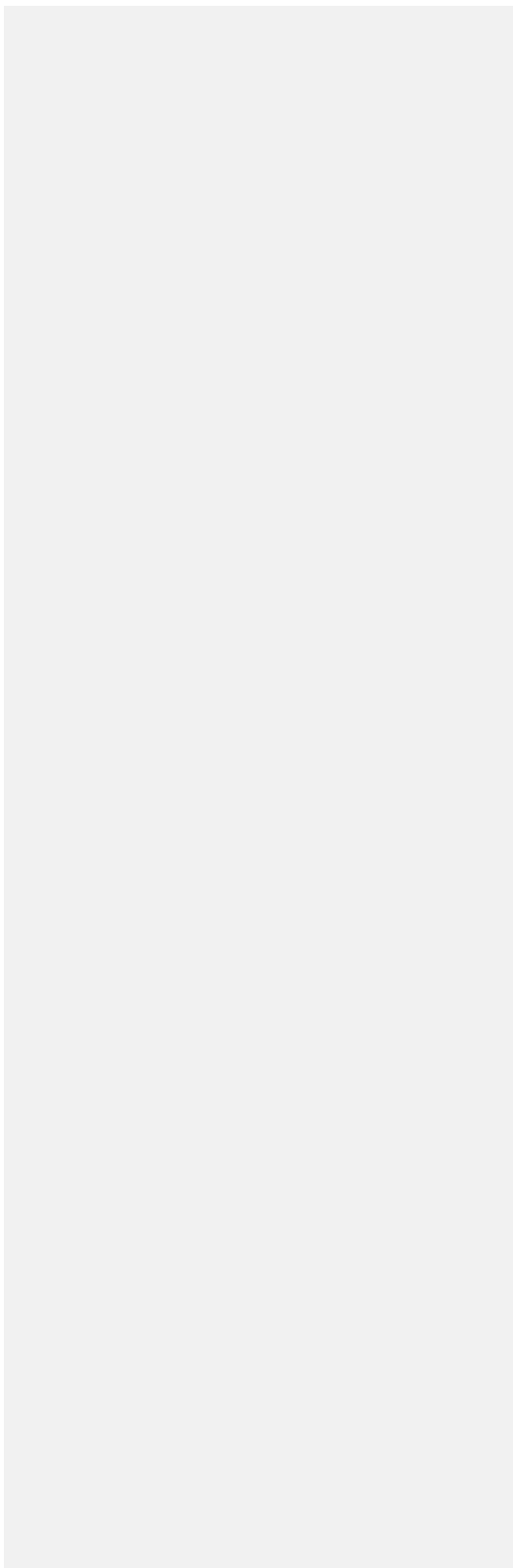
HEALTH

ARTICLE 20:50  
OPTOMETRY

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## ARTICLE 20:50

### OPTOMETRY

Chapter	
20:50:01	Definitions.
20:50:02	Licensing and registration.
20:50:03	Optometric schools.
20:50:04	Code of ethics.
20:50:05	Advertising.
20:50:06	Office and equipment requirements.
20:50:07	Minimum examination.
20:50:08	Continuing education requirements.
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20:50:10	Prescribing of contact lenses.
20:50:11	Corporate practice.
20:50:12	Complaint investigation.

### CHAPTER 20:50:01

#### DEFINITIONS

Section	
20:50:01:01	Definitions.

**20:50:01:01. Definitions.** Words defined in SDCL 36-7 have the same meaning when used in this article.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 49 SDR 12, effective August 14, 2022.

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

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

### CHAPTER 20:50:02

#### LICENSING AND REGISTRATION

Section	
20:50:02:01	Time of examinations, Repealed.
20:50:02:02	Application for licensure.
20:50:02:03	Repealed.
20:50:02:03.01	Fees.
20:50:02:04	Examination subjects -- Admission to practice, Repealed.
20:50:02:04.01	Repealed.
20:50:02:04.02	Repealed.
20:50:02:04.03	Licensure by endorsement.
20:50:02:04.04	Minimum educational requirements -- Pharmaceutical agents, Repealed.
20:50:02:04.05	Repealed.
20:50:02:04.06	Repealed.
20:50:02:05	Transferred.
20:50:02:06	National board examinations required.

20:50:02:06.01 Passing grade, Repealed.  
20:50:02:07 Issuance of license.  
20:50:02:08 Annual renewal fees.

**20:50:02:02. Application for licensure.** Each applicant for licensure shall apply to the board on prescribed forms. An applicant shall attest that the applicant has reviewed and agrees to comply with this state's optometry law and ethics.

An applicant for licensure must submit a set of fingerprints on a standard card provided by the board for the purpose of obtaining a state and federal criminal background check pursuant to SDCL 36-7-12.2. The applicant must sign and submit a form authorizing the release of the applicant's criminal history to the board.

An application must be completed within one year from the date the application is received by the board.

**Source:** SL 1975, ch 16, § 1; SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-11, 36-7-12.2, 36-7-15(5).

**20:50:02:03. Requirements of application for admission to practice examination fees.** Repealed.

**Source:** 6 SDR 66, effective January 8, 1980; repealed, 12 SDR 78, effective November 10, 1985.

**20:50:02:03.01. Fees.** The application fee for initial licensure is \$175. The application fee is non-refundable and must be paid before the board will issue a license.

**Source:** 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 44, effective October 20, 1986; 31 SDR 101, effective January 19, 2005; 39 SDR 127, effective January 21, 2013; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-11(2).

**Law Implemented:** SDCL 36-7-11(2), 36-7-13.

**20:50:02:04.03. Licensure by endorsement.** An applicant for licensure by endorsement shall submit the application and fingerprints required by § 20:50:02:02 and pay the application fee for initial licensure pursuant to § 20:50:02:03.01. The application must be supported by written evidence satisfactory to the board that the applicant:

(1) Is licensed in good standing to practice optometry in a state or territory under U.S. jurisdiction that required passage of a written, entry-level examination at the time of initial licensure;

(2) Has either passed the Treatment and Management of Ocular Disease (TMOD) portion of the national examinations or has therapeutic pharmaceutical privileges; and

(3) Has been actively and routinely engaged in the practice of optometry, including the use of therapeutic pharmaceutical agents, for at least five consecutive years immediately preceding application under this section.

The applicant shall request any optometry licensing agency of any U.S. jurisdiction in which the applicant is licensed or has ever been licensed to practice optometry to provide reports directly to the board describing the applicant's current standing and any past or pending actions taken with respect to the applicant's authority to practice optometry in those jurisdictions, including any investigations, entrances into consent agreements, suspensions, revocations, or refusals to issue or renew a license. The board shall review, on a case-by-case basis, any application received from an optometrist who has had a license revoked by another optometric licensing jurisdiction.

The board may require additional education, testing, or training before granting licensure under SDCL 36-7-13 if the competency of any applicant is in question. Any applicant who has previously been denied a license by the board shall apply for and meet all initial licensure requirements.

**Source:** 6 SDR 66, effective January 8, 1980; 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 21 SDR 35, effective August 30, 1994; 31 SDR 101, effective January 19, 2005; 32 SDR 225, effective July 5, 2006; 34 SDR 323, effective July 2, 2008; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-13(1), 36-7-15(2).

**Law Implemented:** SDCL 36-7-12.2, 36-7-13.

**20:50:02:06. National board examinations required.** An applicant must pass the following examinations certified by the National Board of Examiners in Optometry:

- (1) Part I (Applied Basic Science);
- (2) Part II (Patient Assessment and Management);
- (3) Part III (~~Clinical Skills~~ Patient Encounters and Performance Skills- PEPS), and
- (4) Treatment and Management of Ocular Disease (TMOD).

The application must indicate when the applicant took the national board examinations and the subjects covered. The applicant must have passed the examinations within the five years before the date of licensure in this state unless licensed pursuant to § 20:50:02:04.03.

The board may require additional education, testing, or training before granting a new application for licensure if the competency of any applicant is in question.

**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; 17 SDR 199, effective June 30, 1991; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-11(6), 36-7-12.1, 36-7-15(5).

**20:50:02:07. Issuance of license.** The Board may not issue a license to a successful applicant until the applicant has secured and equipped an office in this state that meets the requirements of § 20:50:06:01 or has arranged a bona fide association with a licensed optometrist in this state who has an office that meets those requirements. This section does not apply when the applicant is in or entering the military or other governmental service.

**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; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-11, 36-7-15(5).

**Cross-Reference:** Inspection of office, § 20:50:06:02.

**20:50:02:08. Annual renewal fees.** The annual renewal fee for licensed optometrists is \$300 if paid by the first day of October of each year. The additional fee for reinstatement after a default, pursuant to SDCL 36-7-20, is \$100 for each calendar month the fee is late, up to a maximum of twelve months, after which a license may be renewed only if, in the discretion of the board, good cause is shown for the delinquency.

An optometrist who has not actively and routinely practiced for a period of greater than one year, but not more than three years, may, at the discretion of the board, be reinstated upon a showing of good cause, payment of the annual renewal fee for each year of absence, payment of the late fee for each month of absence as provided in this section, and upon providing proof of being current on all continuing education requirements.

**Source:** 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 44, effective October 20, 1986; 31 SDR 101, effective January 19, 2005; 32 SDR 225, effective July 5, 2006; 41 SDR 109, effective January 12, 2015; 46 SDR 119, effective May 4, 2020.

**General Authority:** SDCL 36-7-20.

**Law Implemented:** SDCL 1-26-6.9, 36-7-20.

## **CHAPTER 20:50:03**

### **OPTOMETRIC SCHOOLS**

Section

20:50:03:01 Recognized optometric schools or colleges.

**20:50:03:01. Recognized optometric schools or colleges.** A recognized optometric school or college is a school or college approved by the Accreditation Council on Optometric Education of the American Optometric Association.

**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; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-11(5), 36-7-15(6).

## **CHAPTER 20:50:04**

### **CODE OF ETHICS**

Section

20:50:04:01 Confidential communications.

20:50:04:02 Advising patient.  
20:50:04:03 Serving as optician prohibited.  
20:50:04:04 Maintenance of office.  
20:50:04:05 Use of word "doctor."  
20:50:04:05.01 Repealed.  
20:50:04:06 Optometrist to write and release prescription -- Requests for medical records.  
20:50:04:07 Claims of superiority.  
20:50:04:08 Repealed.  
20:50:04:09 Division of fees -- Payments to employees.  
20:50:04:10 Repealed.  
20:50:04:11 Improper business relationships.  
20:50:04:12 Scope of practice -- Procedural codes, Repealed.  
Appendix A Procedural Code List, Repealed.

**20:50:04:01. Confidential communications.** All information received from the patient in the course of treatment must be treated as a privileged communication and held inviolate.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 49 SDR 12, August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:02. Advising patient.** An optometrist shall advise a patient if, during the course of an examination, the optometrist discovers a health condition that is outside the optometrist's scope of practice.

**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; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:03. Serving as optician prohibited.** An optometrist may not in any manner publicize as or serve as an optician.

**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; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:04. Maintenance of office.** An office maintained for the practice of optometry must be clean and sanitary. The office must be exclusive of any other business and must be physically disconnected from any commercial business or influence in the same building by use of floor-to-ceiling wall separations and a separate front entrance to the outside or to common hallways.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 21 SDR 35, effective August 30, 1994; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2), 36-7-25(8).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:05. Use of word "doctor."** No optometrist, when using the title of "doctor" in advertising, may qualify it in any way other than by the use of the word "optometrist." When not using the title, an optometrist may use the letters "O.D." after the optometrist's name, or the word "optometrist," or both.

**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; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:06. Optometrist to write and release prescription -- Requests for medical records.** Upon the request of a patient for whom an optometrist has prescribed spectacle lenses, the optometrist shall issue the prescription and deliver a copy to the patient. A spectacle lens prescription expires on the date specified by the optometrist, based upon the medical judgment of the optometrist with respect to the ocular health of the patient. If a prescription expires in less than one year, the reasons for the expiration date must be documented in the patient's medical record. An optometrist may not specify a prescription expiration date that is earlier than the date on which reexamination of the patient is medically necessary. Requests for medical records 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; 44 SDR 99, effective December 11, 2017; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-1, 36-7-15(2).

**20:50:04:07. Claims of superiority.** An optometrist may not claim to have superior qualifications, superior equipment available for use in the optometrist's practice, or a superior quality of service to patients, to other similarly licensed optometrists. An optometrist certified to prescribe and administer pharmaceutical agents may, however, indicate such qualifications.

**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; 31 SDR 101, effective January 19, 2005; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:09. Division of fees -- Payments to employees.** An optometrist may not directly or indirectly divide, share, split, or allocate a fee for optometric services or materials with a layperson, firm, or corporation, or another optometrist or licensed medical practitioner, except on the basis of a division of service or responsibility. This section does not prohibit:

- (1) An optometrist from paying an employee in the regular course of employment;
- (2) A practice established under the terms of SDCL chapter 47-11B; or

(3) An optometrist from being employed on a salary, with or without a bonus arrangement, by an optometrist or licensed medical practitioner, regardless of the amount of supervision exerted by the employer over the office in which the employee works. However, this bonus arrangement may not be based on the business or income of an optical company.

**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; 32 SDR 129, effective January 31, 2006; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:04:11. Improper business relationships.** The following business relationships are prohibited:

(1) An office rental, lease, or office space-sharing arrangement that, by virtue of location, causes the optometrist to be in violation of SDCL 36-7-17 by being directly employed by or connected with another person or entity other than an optometrist, ophthalmologist, or other licensed healing arts professional or in which the optometrist's office, location, or place of practice is owned, operated, supervised, staffed, directed, or attended by any other person, corporation, or entity not licensed to practice optometry, ophthalmology, or other healing arts in this state; and

(2) An arrangement or agreement, express or implied, with any firm, business, corporation, person, or other entity not licensed to practice optometry in this state that would interfere with the optometrist's independent ability to provide professional care for patients without outside influence.

Nothing in this section may be construed to prohibit a practice established under the terms of SDCL chapter 47-11B or affect referrals between persons authorized to practice medicine or optometry in this state.

**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; 21 SDR 35, effective August 30, 1994; 32 SDR 129, effective January 31, 2006; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2), 36-7-17, 36-7-25.

**Law Implemented:** SDCL 36-7-15(2), 36-7-17, 36-7-25(8).

**20:50:04:12. Scope of practice -- Procedural codes.** Repealed.

**Source:** 32 SDR 225, effective July 5, 2006; 49 SDR 12, effective August 14, 2022.

**20:50:04:12. Assignment of tasks to a Certified Para-Optometric Assistant.** The following tasks may only be delegated to an optometric assistant who is certified through the American Optometric Association's technician certification process:

- (1) Testing and Procedures
  - a. Slit Lamp examination
  - b. Manual refractometry
  - c. Ocular motility testing (pursuits and saccades)
  - d. Binocularity testing including cover testing
  - e. Goldmann tonometry – serial testing
- (2) Contact Lenses

**Commented [BM1]:** Pupil testing, scleral testing

**Commented [BM2]:** Or an ophthalmologic technician



- a. Using a slit lamp to perform contact lens fitting and assessments (e.g., soft, gas permeable, hybrid, scleral, etc.
- b. Perform progress checks on contact lens patients

A certified para-optometric technician shall be in the physical presence of the patient during any examination where there is no optometrist physically on-site during the examination. The certified para-optometric technician shall be directly supervised by the optometrist assigning tasks to the certified para-optometric technician. The optometrist remains responsible for the acts and duties assigned to a certified para-optometric technician.

For purposes of this section, the term, direct supervision, means the physical or virtual presence and immediate availability of a licensed optometrist.

Source:

General Authority:

Law Implemented:

**20:50:04:13. Telepractice.** An optometrist may not provide telehealth services unless the optometrist has established a provider-patient relationship with the patient.

For purposes of this section, the term, provider-patient relationship, means the relationship in which the optometrist has provided services to the patient at an in-person consultation no more than three years prior to the date on which telehealth services are provided. An in-person consultation is not required for new conditions relating to a patient with whom the optometrist has a provider-patient relationship unless the optometrist deems an in-person consultation is necessary to provide appropriate care. An optometrist may treat a patient through telehealth in the absence of a provider-patient relationship when, in the professional judgment of the optometrist, emergency care is required.

An optometrist treating a patient through telehealth must perform at least a minimum comprehensive optometric examination as required by 20:50:07:01 before prescribing eyeglasses or contact lenses to a patient. Nothing in this section authorizes an eye examination that does not assess ocular health and visual status of a patient or consists solely of objective refractive data or information generated by an automated testing device, including an autorefractor, in order to establish a medical diagnosis or to determine refractive error.

Source:

General Authority:

Law Implemented:

## **CHAPTER 20:50:05**

### **ADVERTISING**

Section

20:50:05:01

Advertising.

20:50:05:02 to 20:50:05:09 Repealed.

**Cross Reference:** It is a violation of the Federal Trade Commission Act for any state agency to enforce any prohibition on the dissemination of information concerning ophthalmic goods and services or eye examinations, 16 C.F.R. chapter 1, subchapter D, § 456.3.

**20:50:05:01. Advertising.** False, fraudulent, deceptive, misleading, or sensational advertising is prohibited. Advertising, whether paid for or not, is considered prohibited under this section if it meets any of the following criteria:

- (1) Contains a misrepresentation of fact or omits a material fact necessary to prevent deception or misrepresentation;
- (2) Promises relief or recovery unobtainable by the average patient by the methods publicized;
- (3) Contains a testimonial pertaining to quality or efficacy of optometric care of services that does not represent typical experiences of other patients;
- (4) Is intended or is likely to create false or unjustified expectations of favorable results;
- (5) Contains a claim that the optometrist possesses skills, provides services, or uses procedures superior to those of other optometrists with similar training, unless the claim can be factually substantiated by scientific and accepted evidence;
- (6) Takes advantage of a person's fears, vanity, anxiety, or similar emotions;
- (7) Contains a claim that is likely to deceive or mislead the average member of the public to whom it is directed;
- (8) Contains a false or misleading prediction or implication that a satisfactory result or cure will result from performance of professional services;
- (9) Contains a claim that the optometrist uses or provides products that are superior to other similarly licensed optometrists unless claims can be factually substantiated by scientific and accepted evidence;
- (10) Describes availability of products, procedures, or services that are not permitted by law;
- (11) Is likely to attract patients by use of exaggerated claims;
- (12) Contains a statement of uninvited direct solicitation of patients who, because of their particular circumstances, are vulnerable to undue influences;
- (13) Fails to be identified as a paid announcement or solicitation when it is not apparent from the context that the advertisement is a paid announcement or solicitation, including advertising giving the impression it is a news story or an informational article; or
- (14) Contains a statement of fees charged for specific professional services but fails to indicate whether additional fees may be required for related services that may also be required.

**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; 13 SDR 44, effective October 20, 1986; 39 SDR 127, effective January 21, 2013; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

## **CHAPTER 20:50:06**

### **OFFICE AND EQUIPMENT REQUIREMENTS**

#### Section

- 20:50:06:01 Minimum office equipment.  
20:50:06:02 Inspection of office.

**20:50:06:01. Minimum office equipment.** A licensed optometrist's office must include the following equipment, which must be kept in good condition:

- (1) Ophthalmic chair and instrument unit;
- (2) Retinoscope;
- (3) ~~Ophthalmoscope~~ Direct ophthalmoscope and binocular indirect ophthalmoscope;
- (4) Phoropter;
- (5) Keratometer;
- (6) Trial lens set;
- (7) Trial frame;
- (8) Transilluminator;
- (9) Projector chart or other luminous acuity chart;
- (10) Biomicroscope;
- (11) Instrument to evaluate intraocular pressure;
- (12) Permanent patient record system;
- (13) Visual fields instrument;
- (14) Color vision test equipment; and
- (15) Sanitary lavatory basin.

20:50:06:01.01 Telehealth office equipment. In addition to the equipment in ARSD 20:56:06:01, an optometrist providing telehealth services must also include the following additional equipment, which must be kept in good condition:

- (1) Anterior segment camera; and
- (2) Full field imaging system or fundus camera.
- (3) Source:
- (4) General Authority:
- (5) Law Implemented:

**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; 34 SDR 101, effective October 18, 2007; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**20:50:06:02. Inspection of office.** A licensee shall inform the board within 60 days following the establishment of a new practice of optometry in this state. The board may conduct an inspection of the office facility and procedures.

The board shall conduct an inspection for an applicant, prior to the issuance of a license, unless the applicant has arranged a bona fide association with a licensed optometrist in the state who has already been inspected and meets the requirements of 20:50:06:01, or the applicant is entering the military or other governmental service. The board may conduct another inspection if the previous inspection was completed more than two years prior to the date of application.

A licensee or applicant shall appear in person for a board inspection.

**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; 21 SDR 35, effective August 30, 1994; 34 SDR 101, effective October 18, 2007; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-15(2).

**Cross-Reference:** Issuance of license, § 20:50:02:07.

## **CHAPTER 20:50:07**

### **MINIMUM EXAMINATION**

#### Section

20:50:07:01 Minimum comprehensive optometric examination.

**20:50:07:01. Minimum comprehensive optometric examination.** When a comprehensive examination is warranted, the minimum comprehensive optometric examination shall consist of the following:

- (1) Patient case history and visual acuity;
- (2) Internal and external physical ocular examination;
- (3) Objective and subjective analysis of refractive error by an optometrist that does not consist solely of information generated by an automated or internet-based testing device;
- (4) Analysis of accommodation, convergence, and fusional ability when clinically necessary;
- (5) Tonometry;
- (6) Pupil evaluation, extraocular movement testing, and visual field testing (confrontation or electronic);
- (7) Assessment and plan; and
- (8) Where indicated by case history and findings produced by the current examination, any additional tests that should be performed to enable the optometrist to advise the patient and prescribe for or refer, as indicated.

No prescription for ophthalmic lenses or contact lenses may be written based solely upon the diagnosis of a refractive error of the human eye as generated using automated equipment or internet-based devices.

Failure to make or supervise the minimum comprehensive examination in all cases and to keep a permanent record of it is unprofessional conduct unless there are professional reasons to the contrary.

**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; 13 SDR 44, effective October 20, 1986; 39 SDR 127, effective January 21, 2013; 44 SDR 99, effective December 11, 2017.

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

**Law Implemented:** SDCL 36-7-1, 36-7-15.

## **CHAPTER 20:50:08**

### **CONTINUING EDUCATION REQUIREMENTS**

#### **Section**

20:50:08:01	Continuing education requirements.
20:50:08:02	Acceptable courses of study, Repealed.
20:50:08:02.01	Limits on self-directed learning.
20:50:08:02.02	Limits on self-directed learning for continuing pharmaceutical education, Repealed.
20:50:08:02.03	Limits on continuing education courses in practice management and patient protection and compliance issues.
20:50:08:03	Repealed.
20:50:08:04	Obtaining evidence of compliance.
20:50:08:05	Repealed.

**20:50:08:01. Continuing education requirements.** An optometrist must complete 45 hours of continuing education within each three-year period after the date of initial licensure. Of the 45 hours of continuing education required each cycle, 30 hours must be live, where the lecturer and learner are physically present at the same location. The remaining 15 continuing education hours may be completed live or by self-directed learning as specified in § 20:50:08:02.01.

An optometrist must complete five hours annually of continuing pharmaceutical education in the area of diagnosis and treatment of ocular disease. The five hours of annual pharmaceutical education count toward the 45 hours required each three years.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 44, effective October 20, 1986; 15 SDR 40, effective September 13, 1988; 17 SDR 199, effective June 30, 1991; 21 SDR 35, effective August 30, 1994; 31 SDR 101, effective January 19, 2005; 37 SDR 133, effective January 18, 2011; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-20.2.

**Law Implemented:** SDCL 36-7-15(7), 36-7-20.

**20:50:08:02. Acceptable courses of study.** Repealed.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 24 SDR 91, effective January 6, 1998; 43 SDR 61, effective October 24, 2016; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**20:50:08:02.01. Limits on self-directed learning.** No more than 15 hours of self-directed learning may be credited to an optometrist in a three-year period to fulfill continuing education requirements as follows:

(1) Surgical/ophthalmologist observation -- one hour credit for every two hours of observation, up to four hours credit. If the location of the observation being submitted for credit is the optometrist's regular office, the optometrist must provide evidence to the board that the subject of the observation is other than the optometrist's regular practice expertise. The optometrist must provide the board with documentation signed by the ophthalmologist evidencing the observation, including a summary detailing the type of observation and the educational goal and outcome of the observation on a form provided by the board;

(2) Video, recorded webinars, live webinars, and teleconferences -- the optometrist must provide the board with a certificate of attendance indicating the learning format. In the event of an emergency or situation not within the control of the optometrist, and for good cause shown, the optometrist may petition the board to approve a live webinar for credit as a live presentation; and

(3) Correspondence courses from colleges or occupational journals that must have self-testing.

In the event of an emergency or situation not within the control of the optometrist, and for good cause shown, a live stream presentation may receive credit as a live presentation.

**Source:** 24 SDR 91, effective January 6, 1998; 37 SDR 133, effective January 18, 2011; 44 SDR 99, effective December 11, 2017; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-20.2.

**Law Implemented:** SDCL 36-7-15(7), 36-7-20.2.

**20:50:08:02.02. Limits on self-directed learning for continuing pharmaceutical education.** Repealed.

**Source:** 24 SDR 91, effective January 6, 1998; 31 SDR 101, effective January 19, 2005; 37 SDR 133, effective January 18, 2011; 49 SDR 12, effective August 14, 2022.

**20:50:08:02.03. Limits on continuing education courses in practice management and patient protection and compliance issues.** In a three-year period, up to eight hours of instruction in the management of an optometric practice, including patient protection and compliance issues, may be used to fulfill continuing education requirements.

**Source:** 24 SDR 91, effective January 6, 1998; 43 SDR 61, effective October 24, 2016; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-20.2.

**Law Implemented:** SDCL 36-7-15(7), 36-7-20.2.

**20:50:08:03. Courses of study not acceptable.** Repealed.

**Source:** SL 1975, ch 16, § 1; repealed, 6 SDR 66, effective January 8, 1980.

**20:50:08:04. Obtaining evidence of compliance.** To show compliance with continuing education requirements, each optometrist shall obtain evidence of attendance or completion from the sponsoring organization for each course. Documentation must show the name of the licensee, the title of the course, the Council on Optometric Practitioner Education (COPE) identification number, if applicable, the date of attendance or completion of the course, the location of the course

or the medium used for instruction, and the hours in attendance or required for completion. The evidence of compliance must accompany the optometrist's application for renewal of license.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 24 SDR 91, effective January 6, 1998; 43 SDR 61, effective October 24, 2016; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-20.2.

**Law Implemented:** SDCL 36-7-15(7), 36-7-20.2.

**20:50:08:05. Special requirements for inactive or out-of-state licenses.** Repealed.

**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; repealed, 34 SDR 101, effective October 18, 2007.

## **CHAPTER 20:50:09**

### **PETITIONS FOR RULES**

#### Section

20:50:09:01 and 20:50:09:02 Superseded.

20:50:09:03 Repealed.

**20:50:09:01. Petition for new rules.** Superseded.

**20:50:09:02. Board action on request.** Superseded.

**Commission Note:** SDCL 1-26-13 provides a statutory procedure to use for petitioning an agency for amendments to its rules, thus effectively superseding the above two sections.

**20:50:09:03. Request for decision from board.** Repealed.

**Source:** SL 1975, ch 16, § 1; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; repealed, 15 SDR 40, effective September 13, 1988.

## **CHAPTER 20:50:10**

### **PRESCRIBING OF CONTACT LENSES**

#### Section

20:50:10:01 Acts constituting prescribing of contact lenses.

20:50:10:02 Provision of contact lens prescription.

20:50:10:03 Expiration of contact lens prescription.

**20:50:10:01. Acts constituting prescribing of contact lenses.** Any of the following shall constitute the prescribing of contact lenses except when performed by or under the direction of and direct physical supervision of a person licensed under SDCL 36-4:

(1) Determining whether or not a patient may safely and comfortably wear contact lenses;

(2) Evaluating the physical fit of a contact lens through use of a "black light" and fluorescein or any similar substance;

(3) Evaluating the physical fit of a contact lens through the use of a biomicroscope or a similar instrument with magnification qualities;

(4) Using a phoropter, hand-held lens, or any automated instrument for the purpose of determining the prescription or change in prescription necessary in a contact lens;

(5) Using a spectacle prescription or a prescription determined through the use of a vertometer, or its equivalent, on a pair of spectacles as a basis for designing, manufacturing, or duplicating a new contact lens;

(6) Prescribing a schedule of time for wearing of contact lenses for a patient;

(7) Measuring and evaluating the curvature of the cornea through any means by any instrument including photographic, mechanical, or reflected light methods; and

(8) Determining the type and design of contact lenses and care procedure for the wearing of contact lenses.

**Source:** 3 SDR 92, effective July 12, 1977; 6 SDR 66, effective January 8, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 44, effective October 20, 1986.

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

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

**20:50:10:02. Provision of contact lens prescription.** A licensed optometrist must complete a 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, the prescribing optometrist must provide a copy of the validated prescription in compliance with state and federal law. The optometrist shall clearly state the expiration date on 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.

**Source:** 21 SDR 35, 21 SDR 50, effective January 1, 1995; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

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

**20:50:10:03. Expiration of contact lens prescription.** A contact lens prescription expires:

(1) Not less than one year after the issue date of the prescription; or

(2) On the date specified by the prescribing optometrist, based upon the medical judgment of the prescribing optometrist with respect to the ocular health of the patient.

If a prescription expires in less than one year, the prescribing optometrist shall document the reasons for that expiration date in the patient's medical record. A prescribing optometrist may not



specify a prescription expiration date that is earlier than the date on which a reexamination of the patient is medically necessary.

**Source:** 44 SDR 99, effective December 11, 2017; 46 SDR 119, effective May 4, 2020; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

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

## **CHAPTER 20:50:11**

### **CORPORATE PRACTICE**

#### **Section**

- 20:50:11:01 Application for registration.  
20:50:11:02 Professional corporation -- Admitting shareholder.  
20:50:11:03 Renewal of certificate of registration.

**20:50:11:01. Application for registration.** Initial applications for registration for professional corporations shall include the following:

- (1) Name and address of the corporation;
- (2) A copy of its certificate of incorporation;
- (3) A copy of its articles of incorporation;
- (4) A copy of the minutes of its organizational meeting;
- (5) A copy of the corporation's insurance binder;
- (6) A registration fee of \$50; and
- (7) A sworn statement from the president of the corporation stating that the corporation will not hold itself out to the public as possessing any skills or expertise not possessed by optometrists in noncorporate practice.

**Source:** 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 47-11B-23.

**Law Implemented:** SDCL 47-11B-8, 47-11B-9, ~~47-11B-18~~.

**20:50:11:02. Professional corporation -- Admitting shareholder.** No later than 30 days after a change in membership or shareholders, the corporation shall notify the board in writing of the change, indicating the identity, licensure status, and residence address of any new shareholder or member.

**Source:** 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 46 SDR 119, effective May 4, 2020.

**General Authority:** SDCL 47-11B-23.

**Law Implemented:** SDCL 47-11B-3.

**20:50:11:03. Renewal of certificate of registration.** ~~Each registered corporation shall submit to the board by December 1 of each year an application for renewal of its certificate of registration. The application fee as required by SDCL 47-11B-13 shall accompany the application.~~

**Source:** 12 SDR 78, effective November 10, 1985; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

**General Authority:** SDCL 47-11B-23.

**Law Implemented:** SDCL 47-11B-13.

## **CHAPTER 20:50:12**

### **COMPLAINT INVESTIGATION**

#### Section

20:50:12:01	Complaints.
20:50:12:02	Investigations.
20:50:12:03	Completion of complaint investigation.
20:50:12:04	Status of complainant.
20:50:12:05	Failure to renew during investigation.
20:50:12:06	Costs of disciplinary actions.

**20:50:12:01. Complaints.** Upon receipt of a written complaint, the board may initiate an investigation pursuant to SDCL chapter 36-1C. Any person filing a complaint shall submit the complaint in writing to the executive secretary, on a form provided by the executive secretary. A complaint is not a public record. An investigation may also be initiated upon receipt by the executive secretary of information sufficient to create a reasonable suspicion that a licensee is in violation of any applicable standard for professional conduct, or that the health or welfare of the public is endangered.

**Source:** 41 SDR 109, effective January 12, 2015; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-24, 36-7-25, 36-7-26, 47-11B-7, 47-11B-14, 47-41B-15.

**20:50:12:02. Investigations.** If the complaint alleges a violation of a matter within the board's authority or compliance with licensing standards and requirements, the executive secretary shall promptly investigate the complaint or provide the complaint to the board investigator for investigation pursuant to SDCL chapter 36-1C. The board shall give written notice to the licensee of the complaint, along with a statement that the licensee is entitled to due process rights, including the right to notice and an opportunity to be heard and to be represented by counsel. The licensee shall provide a written response to the complaint, which the licensee must provide to the executive secretary within twenty days of receipt of the request. The board must notify the licensee that a copy of that response may be provided to the complainant. Upon completion of a complaint investigation, the investigator shall prepare a report to present to the executive secretary of the investigator's findings and conclusions for review. Upon review of the investigator's report, the executive secretary may direct further investigation of the matter.

**Source:** 41 SDR 109, effective January 12, 2015; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-24, 36-7-25, 36-7-26, 47-11B-7, 47-11B-14, 47-11B-15.

**20:50:12:03. Completion of complaint investigation.** Upon completion of a complaint investigation, the board may impose the following sanctions after a determination that a violation exists:

- (1) A letter of concern, which must be placed in the licensee's permanent record. A letter of concern is not a public record;
- (2) Formal reprimand;

(3) Require that the licensee comply with specified terms and conditions;  
(4) Probation of license to practice optometry in this state;  
(5) Suspension of license to practice optometry in this state;  
(6) Revocation of license to practice optometry in this state; or  
(7) Restitution and payment of all costs and expenses of the investigation and proceedings, including attorney fees.

If the licensee disputes the determination, a contested case hearing must be held pursuant to SDCL chapters 1-26 and 36-1C. Pursuant to SDCL 1-26-20, informal disposition may be made by stipulation, agreed settlement, consent order, or default. A final action taken in disposition of a complaint matter is public unless otherwise provided for by law.

If the board questions the competency of the licensee, the board may require a licensee to demonstrate competency by completing the National Board of Clinical Skills examination or retake any portion of the national board examinations. Failure to comply with the board's request may be grounds for further disciplinary action.

**Source:** 41 SDR 109, effective January 12, 2015; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-24, 36-7-25, 36-7-26, 47-11B-7, 47-11B-14, 47-11B-15.

**20:50:12:04. Status of complainant.** The complainant is not a party to any contested case hearing resulting from the investigation of a complaint, although the complainant may be called as a witness in the hearing. The board shall notify a complainant of any public final action taken by the board as a result of a complaint.

**Source:** 41 SDR 109, effective January 12, 2015; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-24, 36-7-25, 36-7-26, 47-11B-7, 47-11B-14, 47-11B-15.

**20:50:12:05. Failure to renew during investigation.** If an optometrist fails to renew the license after notification that the board has initiated an investigation, the board shall report the license as "withdrawn under investigation" in the board's permanent license file and in any national databases to which the board is required to report licensure action.

**Source:** 41 SDR 109, effective January 12, 2015; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 36-7-24, 36-7-25, 36-7-26, 47-11B-7, 47-11B-14, 47-11B-15.

**20:50:12:06. Costs of disciplinary actions.** The board may assess against a licensee or applicant all or part of its expenses, including investigator and attorney fees, associated with a contested case proceeding that results in disciplinary action. If assessing such expenses, a statement of expenses must be presented to the board or hearing examiner at the time proposed findings of fact and conclusions of law are submitted.

**Source:** 41 SDR 109, effective January 12, 2015; 49 SDR 12, effective August 14, 2022.

**General Authority:** SDCL 36-7-15(2).

**Law Implemented:** SDCL 1-26-29.1.