



Board of Examiners in Optometry
PO Box 502
Wall, SD 57790
sdoptboard@goldenwest.net
Telephone: (605) 279-2244
Website: <http://optometry.sd.gov>

AGENDA

March 26, 2018
Tieszen Law Office
Conference Room
Pierre, South Dakota
8:30 a.m. (CST)

1. Attendance
2. Approval of Agenda
3. Approve minutes from the regular meeting on August 11, 2017, and public hearing on October 20, 2017.
4. Treasurer's Report
5. Board review and approve CE courses
6. Old Business
 - a. Board Certification
 - b. Injections
 - c. Tele-Medicine
 - d. Lasers
7. New Business
 - a. Licensing
 - b. Procedural Codes
 - c. Board Member Requests for Conflict Waiver
 - d. Administrative Rule/Legislative Updates
 - Licensure Reciprocity Compact
 - e. PDMP: Guidance for Licensees
 - f. Law and Ethics Exam
 - g. Application
 - h. Office Inspection Form
 - i. TrueTear: Nasal Lacrimal Stimulation Device
 - j. Complaint and Investigation Process
 - k. Contracts
8. Time and place of next meeting
9. Adjournment

This meeting is being held in a physically accessible place. Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the in Board of Examiners in Optometry (605-279-2244) or sdoptboard@goldenwest.net at least 24 hours advance of the meeting to make any necessary arrangements.

South Dakota Board of Examiners in Optometry

Meeting Minutes
August 11, 2017
Tieszen Law Office Conference Room
Pierre, South Dakota
8:30 AM (CST)

**DRAFT MINUTES
HAVE NOT BEEN
APPROVED BY
THE BOARD**

1. Attendance

Meeting called to order at 8:30 a.m. Board members present were Dr. Dockter, Dr. Schirber, Dr. Schirber, Dr. Eisnach, and Nancy Van Camp. Also present were Naomi Cromwell, Tieszen Law Office; Ann Meyer, Attorney General's Office; Deni Amundson, Board Executive Secretary; and Deb Mortenson, SDOS Executive Director.

2. Approval of Agenda

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

3. Approve Minutes from April 4, 2017, and July 20, 2017.

Scott Schirber moved to approve the minutes from the regular meeting on April 4, 2017, and the public hearing on July 20, 2017, seconded by Dr. Eisnach. All in favor. Motion passed.

4. Treasurer's Report

Deni Amundson presented the FY18 financial report through July 30, 2017, the year-end FY17 report and historical comparison report. Dr. Eisnach moved to accept the treasurer's report, seconded by Dr. Haiar. All in favor. Motion passed.

5. ARBO Annual Meeting

Deni Amundson attended the Association of Regulatory Boards of Optometry meeting in Washington, DC June 18-20, 2017. She gave a summary report regarding regulatory activities on the national level. No action taken.

6. Board Review and Approve CE Courses

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

Discussion was had regarding CE providers facing emergency situations where a presenter of a live event may need to cancel for unforeseen circumstances. Dr Schirber moved to proceed with amending 20:50:08:02.01 as part of an administrative rules package to allow CE credit for a live-stream presentation as a live presentation in certain situations where a live presentation is cancelled for reasons not within a licensee's control and where good cause is shown. Seconded by Dr. Eisnach, motion passed.

7. Old Business

a. Board Certification: Will continue to closely monitor. Tabled until next meeting.

- b. Injections: Will continue to closely monitor. Tabled until next meeting.
- c. Tele-Medicine: No action taken.
- d. Board Member Terms: The board reviewed the current board members terms and board positions. Dr. Dockter will remain president until he wishes to step down or has served his three terms and is no longer eligible for re-appointment from the Governor. Dr. Eisnach nominated Dr. Haiar for vice-president, Dr. Schirber seconded. Motion passed and Dr. Haiar accepted nomination.

8. New Business

- a. Licensing: Naomi Cromwell reported on a consent agreement recently entered into with Melanie Weiss constituting final disposition of a licensing matter. A copy of this public document will be sent to each board member.

Discussion was had regarding the SD Board of Optometry's Law and Ethics exam. Dr. Schirber moved to allow an open book exam, Dr. Haiar seconded. Motion passed.

The board would also like to review the complete exam at the next meeting to review the current questions and give consideration to adding an additional section. Dr. Schirber indicated he was in favor of finding out more information regarding Wyoming's exam process. Deni Amundson will research their statutes and administrative rules and also see if they would be willing to share their exam requirements. Tabled until next meeting.

- b. Procedural Codes: No action taken.
- c. Board Member Requests for Conflict Waiver: No action taken.
- d. Administrative Rule/Legislative Updates: Discussion was had regarding the South Dakota Board of Pharmacy's Prescription Drug Monitoring Program and its impact on optometry. This issue, and how other boards under the direction of the South Dakota Department of Health, address it will be closely monitored. Tabled until next meeting.

The board reviewed numerous administrative rules. 20:50:02:07 will not be amended; however, the application will be updated to add an additional form for applicants to complete to meet licensure requirements. Other rules, in addition to 20:50:08:02.01 as voted on earlier in the meeting, that will be presented in the package for amendments are 20:50:04:06, 20:50:07:01, 20:50:10:02, and 20:50:10:03. Dr. Schirber moved to proceed with the above referenced administrative rule updates, seconded by Nancy Van Camp. All in favor. Motion passed.

Dr. Eisnach left the meeting at 12:14pm. A quorum of the board members were still in attendance.

- e. Background Checks: Deni Amundson thanked the board and legal counsel for completing the online Criminal Justice Information Services training as required by the State of South Dakota Division of Criminal Investigation. A background check procedural policy was presented to the board for questions or feedback. No action taken.
 - f. Record Retention Manual: A revised version of the current manual was presented to the board for questions or feedback. No action taken on this administrative procedural item.
 - g. Office Inspection Form: Discussion was had regarding the need to add 36-7-18 to the current office inspection form. 20:50:07:01 is also on the form and has been identified as one of the administrative rules in the package to be amended. An updated form will be presented at the next meeting.
 - h. Lasers: Deb Mortenson, Executive Director for the South Dakota Optometric Society, indicated they have had numerous requests from their membership to explore options for expanding the scope of South Dakota optometrists to include laser privileges. They are going to start by sending a survey to optometrists in the state to inquire about interest and need. Tabled until next meeting.
 - i. Drug-Eluding Contact Lenses: Discussion that these are not currently on the market in South Dakota, but the board may want to discuss them at a later date to determine if they are within the scope of practice for South Dakota optometrists and possible add a procedural code when one becomes available. No action taken.
9. Time and Place of Next Meeting

Monday, March 26, 2017
Tieszen Law Office Conference Room
Pierre, South Dakota
8:30 AM (CST)

10. Adjournment

Dr. Schirber moved for adjournment, seconded by Dr. Haiar. All in favor, motion passed. Meeting was adjourned at 12:47pm.

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

FORM 10

Board of Examiners in Optometry
Minutes of Public Hearing

(See SDCL 1-26-4(8))

The South Dakota Board of Examiners in Optometry convened at 6:30 p.m. on Friday, October 20, 2017, at the Tieszen Law Office, Prof. L.L.C., 306 East Capitol, Suite 300, Pierre, South Dakota.

The purpose of the hearing was to conduct a public hearing on proposed rules numbered ARSD 20:50:04:06; 20:50:07:01; 20:50:08:02.01; and 20:50:10:03.

The hearing was called to order by Craig Dockter, Board President. A quorum of the Board was in attendance pursuant to SDCL §§ 1-25-1 and 1-26-4. Members of the Board in attendance in person at the public hearing were Nancy Van Camp; Board members in attendance telephonically were Craig Dockter, OD; Scott Schirber, OD, Denette Eisnach, OD, and Allen Haiar, OD. Others in attendance were Deni Amundson, Executive Secretary, telephonically, and Deb Mortenson, SDOS, and Naomi Cromwell, Board Counsel, both in person.

Naomi Cromwell reported to the Board that notice of the public hearing was published pursuant to the requirements of SDCL 1-26-4(3) and 1-26-4.1, with publication being made in the Sioux Falls Argus Leader on September 18, 2017, the Huron Plainsman on September 13, 2017, and the Rapid City Journal on September 14, 2017.

Naomi Cromwell reported to the Board regarding BFM and LRC comments on the proposed rules. BFM concurs with the assumptions and fiscal impact calculated. LRC approved the proposed rules for legality and provided style and form edits, which were incorporated into the proposed rules.

Deni Amundson reported that notice of the public hearing and proposed rule changes was provided on September 6, 2017, to the South Dakota State Medical Association and South Dakota Optometric Society pursuant to requested advance notice of rule-making proceedings by the Board of Examiners in Optometry.

Deni Amundson reported that the board received a letter of support from the South Dakota Optometric Society. The written comments were received into the record of the public hearing. The Board was advised that no other written comment on these proposed rules has been received.

An opportunity was given for public comment including opponents and proponents of the proposed changes. As there were no comments, public comments were closed.

The Board thereafter considered the proposed rules and public comment provided. Having considered the proposed rules and having received no further comments, Scott Schirber moved, with a second by Allen Haiar, to approve the rules by roll call vote. All in favor, motion passed.

Nancy Van Camp moved to adjourn. Seconded by Denette Eisnach. All in favor by roll call vote, motion passed.

Thereafter, the public hearing was adjourned at 6:40p.m.

Respectfully submitted,



Deni Amundson, Executive Secretary
Board of Optometry

DRAFT

2017/2018 Detailed Expenses

3/3/2018- 32.9% FY Remaining

	Expenditure	Notes
Board Member Fees	420	
OASI- Employer's Share	32	
Travel-Auto- In State	430	
Travel- Lodging- In State	235	
Travel- Meals- In State	96	
Travel- Airfare		
Travel- Meals, Lodging- Out of State		
ARBO Dues	750	
Computer Consultant- Bpro	350	
Education and Training Consultant	4000	Contract with SDOS
Legal Consultant	23610	Tieszen Law Office Fees
Management Consultant	25071	Reimbursements to Deni Amundson
		Salary: \$1754 x 9= \$15786
		Rent/Utilities: \$400/month x 9= \$3600
		Postage and PO Box Rent:\$800.80
		Printing & Office Supplies:\$700.39
		Travel Expenses:\$3020.62
		E&O Insurance: \$0
		Telephone and Internet:\$819.99
		Computer Service: \$343.46
		DOH Error: \$626.68
		NHPD Queries: \$94.00
		Credits: \$626.68(DOH Error), \$95.89 (Venture Refund)
Investigator Services	0	
Computer Services- State	107	
Central Services- 5204200	904	DOH Charges relating to payroll and audit.
Central Services- 5204204	144	DOH Charges relating to records management.
Central Services- 5204207	120	DOH Charges relating to personnel services.
Insurance Premiums		
Office Supplies		
Printing State		Law Handbooks
Postage		
Computer Hardware		
Computer Software		
Office Furniture and Fixtures		
Total expenses through 3/3/2018	\$56,269.00	
Total revenue for 2017/2018	\$72,235.11	
3/1/2018 Cash Balance	\$64,900.50	
3/1/2017 Cash Balance	\$71,520.40	
3/1/2016 Cash Balance	\$65,980.15	
3/1/2015 Cash Balance	\$49,024.03	
3/1/2014 Cash Balance	\$51,223.04	
3/1/2013 Cash Balance	\$62,780.34	
3/1/2012 Cash Balance	\$74,556.15	
3/1/2011 Cash Balance	\$62,667.39	
3/1/2010 Cash Balance	\$55,161.29	
3/1/2009 Cash Balance	\$47,074.72	
3/1/2008 Cash Balance	\$39,616.07	
3/1/2007 Cash Balance	\$26,063.08	

OPTOMETRY LICENSE APPLICATION

Requirements and Instructions- Applicant may keep this page for reference.

- Complete and mail enclosed application (pages 1-5). The application fee of \$175.00 must be sent by check or money order with the application. The application is good for one year from the date received. The application fee is non-refundable and must be paid again if reapplying after the expiration of the application. The application may be filled out electronically, but must be signed in ink and mailed to the address above.
- National Board Scores must be sent to the South Dakota Board of Optometry directly from the National Board of Examiners in Optometry.
- Official transcripts are required from all pre-optometric and optometric university education and must be sent directly from the school. Copies or unofficial transcripts will not be accepted.
- You will need to successfully complete the SD Law and Ethics exam. This may be done in conjunction with the National Board exam or you may arrange to have the exam proctored in South Dakota by a board member. Contact the board executive secretary at sdoptboard@goldenwest.net to schedule the exam in South Dakota.
 - Study materials may be found on our website: <http://optometry.sd.gov>
 - SDCL 36-7 ~ SDCL 47-11B ~ Administrative Rule 20:50
- Pursuant to SDCL 36-7-12.2, effective July 1, 2009, each applicant for licensure is required to submit a full set of fingerprints with the completed application to obtain a state and federal criminal background check.
 - Instructions for completion:
 - Upon receipt of this application, fingerprint cards will automatically be mailed to the home address indicated on the application. If you would like them sent to another address, please provide this request in writing with the application.
 - The fingerprint cards you receive from the SDBEO **must** be the cards you use for the fingerprints since specific agency data is pre-printed on them. Make sure you fill out both sides of the cards before they are returned.
 - Contact your local law enforcement agency for fingerprinting.
 - Mail the completed fingerprint cards to the above address. Please include a check or money order for \$43.25 made payable to the **"South Dakota Division of Criminal Investigation"**.
 - Cards will be rejected if they have been bent, folded, tampered with, stained, smeared or stapled. If rejected, you will be notified to resubmit your cards.
 - Your application will not be processed until the results of the background check have been received. This board does not issue temporary licenses or special permits.
- Two references of good moral character must be submitted using forms Appendix A and B.
- License verification forms from Appendix C must be submitted for each state listed in the "record of licensure" on page 4. States may submit their preferred standard forms.
- The verification of practice location must be submitted using form Appendix D.
- When all documents have been received, you will receive notification that includes information outlining the remaining fees that will need to be paid to complete licensure including the pro-rated yearly license fee (\$300 per year) and certificate fee (\$25). Your certificate will be mailed upon receipt of the check or money order, address update form on Appendix E, and all other requirements as outlined in this application.

***Documents can also be found on the SDBEO website for your convenience in providing them to required parties.**



Attach Photo Here

For identification purposes, the applicant shall furnish one passport sized photograph taken not more than one year before the date of application.

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OPTOMETRY LICENSE APPLICATION

DEMOGRAPHIC INFORMATION

First Name:	Middle Name:	Last Name:
Social Security #:	Birth Date:	Gender:

Have you ever been known under any other name? Yes No If yes, list name(s):

Personal Contact Information

Home Mailing Address:	Email Address:	
City:	State:	Zip Code:
U.S. Citizen: Yes <input type="checkbox"/> No <input type="checkbox"/>	Home Phone:	Cell Phone:

Current Practice Information- (If licensed in another state.)

Practice Address:	Practice Phone:	
City:	State:	Zip Code:

South Dakota Practice Information

20:50:02:07. Certificate of registration. After a candidate has successfully passed the examination, the certificate of registration for admission to practice shall not be issued until the candidate has secured and equipped an office within the state of South Dakota meeting the minimum office requirements of 20:50:06:01 or has arranged a bona fide association with a registered optometrist licensed under the laws of the State of South Dakota who has an office meeting those requirements. The certificate of registration shall not be issued as a result of the examination unless the requirements of all sections of this article are met within one year from the date of the candidate was notified of passing the examination. This section does not apply when the candidate is in or entering the military or other governmental service.

Please note: *If you have not currently secured a location to practice in South Dakota, you may still submit your application. This information can be added at a later date using the document on Appendix D.*

Practice Name:	Practice Address:	
City:	State:	Zip Code:
Practice Phone:	If employee, who may we contact to verify employment:	

Appendix D is required to be submitted to verify location of practice.

EDUCATION**High School Graduation**

High School Name:

City and State:

Graduation Date:

Pre-Optometric College Education

Starting with your undergraduate education, list all schools, colleges and universities attended, whether completed or not, and in chronological order.

Name of School	Address	Start Date	End Date

Degree Received:

Date of Graduation:

Education in Optometry

Name of School	Address	Start Date	End Date

Degree Received:

Date of Graduation:

MILITARY BACKGROUND

Are you currently a member of the armed forces of the United States? Yes No

Are you the spouse of a member of the armed forces of the United States? Yes No

If yes, was your spouse the subject of a military transfer to South Dakota? Yes No NA

CRIMINAL BACKGROUND INVESTIGATION

Instructions for completing the criminal background check can be found on page 1 and will also accompany the fingerprint cards that will be mailed upon receipt of this application.

36-7-12.2. Criminal background check of new applicants and licensees under disciplinary investigation. Each new applicant for licensure as an optometrist, in this state shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application, the Board of Examiners of Optometry shall submit completed fingerprint cards to the Division of Criminal Investigation. Upon completion of the criminal background check, the Division of Criminal Investigation shall forward to the board all information obtained as a result of the criminal background check. This information shall be obtained before permanent licensure of the applicant. The board may require a state and federal criminal background check for any licensee who is the subject of a disciplinary investigation by the board. Failure to submit to or cooperate with the criminal background investigation is grounds for denial of an application or may result in revocation of a license. The applicant shall pay for any fees charged for the cost of fingerprinting or the criminal background investigation.

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

You must check one of the following:

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

RECORD OF LICENSURE

I am currently or have previously been licensed to practice optometry in the following states and no others:

State	License Number	Issue Date	Expiration Date	Disciplinary Action
				Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please explain below.
				Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please explain below.
				Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please explain below.
				Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please explain below.
				Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please explain below.

Explanation of disciplinary action(s):

Please note: In order to complete this application, the license verification form on page 9 must be completed and returned by the state licensing board from each state listed above.

PERSONAL HISTORY INFORMATION

- | | |
|---|--|
| 1. Have you ever been convicted, pled no contest/nolo contendere, pled guilty to, or been granted a deferred judgment or suspended imposition of sentence or had prosecution deferred with respect to a felony? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 2. Have you ever been convicted, pled no contest/nolo contender, pled guilty to, or been granted a deferred judgment or suspended imposition of sentence, or had prosecution deferred with respect to a misdemeanor other than a class 2 misdemeanor traffic offense? | Yes <input type="checkbox"/> No <input type="checkbox"/> |

Please note: If you answered YES to 1 or 2, provide a signed and dated explanation. You must also submit copies of charges or citations and ALL communications (to and from) the citing agency AND the court of jurisdiction, including evidence of completion/compliance with court requirements. You must attach all communications for a violation to the signed and dated

- | | |
|--|--|
| 3. Is there any pending criminal prosecution against you? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 4. Are you currently being investigated or is disciplinary action pending against any professional license(s) or certificate(s) held by you? | Yes <input type="checkbox"/> No <input type="checkbox"/> |

5. Has any license, registration, permit or certificate held by you in any state or country been denied, revoked, suspended, stipulated, or have you been placed on probation or otherwise subjected to any type of disciplinary action?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6. Have you ever been denied a license to practice optometry in another state?	Yes <input type="checkbox"/> No <input type="checkbox"/>
7. Have you ever been subject to a negligence or malpractice judgment or settlement during the scope and course of your practice?	Yes <input type="checkbox"/> No <input type="checkbox"/>
8. In the five years prior to application, have you had habitual addiction to the use of morphine, cocaine or other habit forming drugs?	Yes <input type="checkbox"/> No <input type="checkbox"/>
9. Have you had adverse action or ethical violation(s) during any education, residency or training program?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Please note: For questions 3-10 above, provide an explanation for each YES response on a separate piece of paper, with a complete description of dates and events. You must also send all supporting applicable documents. You must attached supporting documents to the signed and dated explanation. Please put supporting documents in chronological order (most recent first).

ENDORSEMENT REQUIREMENTS

(You may skip this section if you have graduated optometry school in the past 5 years.)

20:50:02:04.03. Endorsement certification. An applicant for licensure by endorsement must submit the application form and fee required under SDCL 36-7-13 and meet all of the following conditions:

- (1) Be 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) Be licensed at the highest level of prescriptive authority possible in that jurisdiction;
- (3) Have been actively engaged in the practice of optometry, including the use of therapeutic pharmaceutical agents, for at least five consecutive years immediately preceding making application under this section;
- (4) Have submitted directly to the board all transcripts, reports, or other information the board requires; and
- (5) Pass the written examination regarding the optometry laws and administrative rules governing optometrists in the state. The candidate must 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 current standing and any past or pending actions taken with respect to the applicant's authority to practice optometry in those jurisdictions, including such actions as investigations, entering into consent agreements, suspensions, revocations, and refusals to issue or renew a license. Any application received from an optometrist who has been sanctioned by revocation of license by another optometric licensing jurisdiction shall be reviewed on a case by case basis by the board.

The board retains the authority to require additional education, testing, or training prior to granting licensure under SDCL 36-7-13 when 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.

Have you met all of the requirements described above to be issued licensure through endorsement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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Please note: If you answered NO to the above question, please provide written documentation of circumstances. You must also attach any applicable supporting documents.

The South Dakota Board of Examiners in Optometry administers its examinations in a manner which does not discriminate against a qualified applicant with a disability. Applicants with disabilities who wish to request reasonable testing accommodations should immediately email or write the board executive secretary for assistance in contacting the appropriate testing site if necessary.

- No person shall be eligible for examination unless such person is a full eighteen years old, a citizen of the United States of America, of good moral character, and a graduate of an accredited high school.
- Applicants for examination for a license to practice optometry in the State of South Dakota shall be graduates from institutions recognized and approved by the South Dakota Board of Examiners in Optometry.
- Applicants must submit to the federal and state background investigations and pay the fees associated with that investigation as set by the state and federal entities.
- Applicants desiring to be examined must file with the secretary, a properly executed application together with an application fee of \$175.00 in the form of a certified check, or money order, payable to the South Dakota Board of Examiners in Optometry, upon completion of the National Board Examination. An INCOMPLETE application will not admit an applicant for examination.
- Applicant are asked to provide a social security number on this application. An independent license number will be issued upon licensure.
- Upon licensure, general license, practice address, and disciplinary actions will be posted on the South Dakota Board of Examiner’s website. Licensee demographic information may also be shared with other state entities for statistical purposes.
- I understand that passage of the South Dakota State Law and Ethics exam is required, and that the minimum grade for successful passage of the exam is 75%. I will therefore carefully read and study the South Dakota Optometry Laws, including South Dakota Codified Law chapters 36-7 and 47-11B, and Administrative Rules of South Dakota Article 20:50.
- I will further faithfully submit and conform myself and my actions to obey, observe, perform, fulfill, and keep all provisions of South Dakota Codified Law and the Administrative Rules of South Dakota governing the practice of Optometry in South Dakota. I will at all times assist the duly constituted authorities in enforcement of the laws governing Optometry in South Dakota.
- I hereby agree that if statements made by me in this application prove false, or if I shall violate the above agreements, my certificate shall become null and void and I will immediately return it to the board upon their written demand.
- I further certify that I will not receive from anyone, or give aid to anyone that would assist me or them in answering any questions on the State Law and Ethics examination I am granted.

CERTIFYING STATEMENT

“By virtue of filing this application, I do solemnly swear or affirm that I am of good moral character, and that I understand the instructions and terms as set forth in this application form. I declare and affirm under the penalties of perjury that this application has been examined by me, and to the best of my knowledge and belief all information contained herein is true and correct and that the photograph attached hereto is a true likeness of myself. I hereby authorize the State Board of Examiners in Optometry to verify any and all information contained in this application. I authorize the South Dakota Board of Examiners in Optometry to obtain and review any and all records and files pertaining to my licensure and practice in this and any other state in which I am or have been licensed in optometry or have applied to be licensed in optometry, and all law enforcement records, administrative records, motor vehicle records, and court documents to confirm the accuracy and completeness of the information provided herein. This application and signature shall act as authorization of entities in possession of applicable information to release such information to the licensing authority.”

Signature of Applicant:	Date:
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Printed Name of Notary Public:

Subscribed and sworn to before me this _____ day of _____ 20 _____.

My commission expires:

End of Application



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PO Box 513
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REFERENCE FORM- APPENDIX A
(Must be signed by an optometrist licensed and in good standing from any U.S. state.)

Please complete this reference form and return electronically or mail to the address shown above.

This is to certify that I have been personally acquainted with _____
for _____ years. I believe him/her to be of good moral character and I hereby recommend him//her to the South Dakota Board of Examiners in Optometry as entirely worthy to be licensed to practice optometry in the State of South Dakota pursuant to law.

Additional Comments:

Please note: No member of the profession is expected to sign this recommendation who does not know the applicant personally or who is not willing to supply additional information concerning this person's character and education upon request from the South Dakota Board of Examiners in Optometry.

Your Name (Printed):

Your Signature (Digital Signature Allowed):

Address:

City:	State:	Zip:
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Phone:

Email Address:

State of Optometry License (Currently Practicing):	License Number:
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Number of Years in Practice:



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REFERENCE FORM- APPENDIX B

(Must be signed by an optometrist licensed and in good standing from any U.S. state.)

Please complete this reference form and return electronically or mail to the address shown above.

This is to certify that I have been personally acquainted with _____
for _____ years. I believe him/her to be of good moral character and I hereby recommend him//her to the South Dakota Board of Examiners in Optometry as entirely worthy to be licensed to practice optometry in the State of South Dakota pursuant to law.

Additional Comments:

Please note: No member of the profession is expected to sign this recommendation who does not know the applicant personally or who is not willing to supply additional information concerning this person's character and education upon request from the South Dakota Board of Examiners in Optometry.

Your Name (Printed):

Your Signature (Digital Signature Allowed):

Address:

City:

State:

Zip:

Phone:

Email Address:

State of Optometry License (Currently Practicing):

License Number:

Number of Years in Practice:



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 Website: <http://optometry.sd.gov>

REQUEST FOR LICENSE VERIFICATION- APPENDIX C

Must be completed by the regulatory agency of any other state in which you have been licensed. States may use their own forms.

Applicant Name:		License Number:
Issue Date:	Expiration Date:	
Current License Status: Active <input type="checkbox"/> Inactive <input type="checkbox"/> Expired <input type="checkbox"/> Revoked <input type="checkbox"/> Probation <input type="checkbox"/> Other <input type="checkbox"/> _____		
Is this individual considered to be in good standing in your state?		Yes <input type="checkbox"/> No <input type="checkbox"/>
If no, please explain:		
Has this license ever been revoked, suspended, restricted, limited, or placed on probation?		Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please explain:		
Is this individual currently under investigation or charged with a violation?		Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please explain:		
Was this individual required to pass a written examination at the time of initial licensure?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Is or was this individual licensed at the highest level of prescriptive authority possible in your jurisdiction?		Yes <input type="checkbox"/> No <input type="checkbox"/>
If no, please explain:		
<p><i>If this license is not in good standing or has ever been revoked, suspended, restricted, limited, or placed on probation, please provide a copy of the final order or other documentation of action taken.</i></p>		

FORM COMPLETED BY:

Name (Printed):	STATE SEAL
Signature:	
Title:	
State Agency:	
Date:	



Board of Examiners in Optometry
PO Box 513
Wall, SD 57790
sdoptboard@goldenwest.net
Telephone: (605) 279-2244
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VERIFICATION OF PRACTICE LOCATION- APPENDIX D

20:50:02:07. Certificate of registration. After a candidate has successfully passed the examination, the certificate of registration for admission to practice shall not be issued until the candidate has secured and equipped an office within the state of South Dakota meeting the minimum requirements of § 20:50:06:01 or has arranged a bona fide association with a registered optometrist licensed under the laws of the state of South Dakota who has an office meeting those requirements. The certificate of registration shall not be issued as a result of the examination unless the requirements of all sections of this article are met within one year from the date the candidate was notified of passing the examination. This section does not apply when the candidate is in or entering the military or other governmental service.

Please check the box next to the option that best describes your practice location and complete that section:

Option 1:

I am opening my own practice that meets the minimum requirements of:

20:50:06:01. Minimum office equipment. The minimum equipment with which licensed optometrists shall operate their offices and engage in the practice of optometry consists of the following items, all of which shall be kept in good condition:

- (1) Ophthalmic chair and instrument unit;
- (2) Retinoscope;
- (3) 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.

I also understand that the following administrative rule applies to my situation:

20:50:06:02. Inspection of office. Within 60 days following the establishment of a practice of optometry in this state, a new licensee shall inform the secretary of the board. At least one member of the board shall conduct an inspection of the office facility and procedures. This section and § 20:50:06:01 also apply to an optometrist admitted under endorsement provisions or a licensed optometrist who changes location or opens an additional office. The inspection of the office of an optometrist previously licensed in this state is at the option of the board.

Practice Street Address: _____

Practice City, State and Zip: _____

Signature of Applicant: _____ Date: _____

VERIFICATION OF PRACTICE LOCATION- APPENDIX D (continued)

Option 2:

I am in or entering the military or other governmental service. I understand that 20:50:02:07 does not apply to my situation.

Signature of Applicant: _____ Date: _____

Option 3:

I have arranged a bona fide association with a registered optometrist licensed under the laws of the State of South Dakota who has an office meeting the requirements of 20:50:06:01.

For licensure purposes, bona fide is defined as: made with earnest intent or in good faith without fraud or deceit.

To be completed by registered optometrist licensed under the laws of the State of South Dakota: (Practice Owner)

I hereby attest that I have an office meeting the requirements of 20:50:06:01. I have arranged a bona fide association with the person indicated in this application that he or she will be actively practicing in my office. This association has been made with earnest intent and without fraud or deceit.

Printed Name of SD Licensed Optometrist: _____

Signature of SD Licensed Optometrist: _____ Date: _____

Address of Practice Location: _____

Telephone Number of Practice Location: _____

To be completed by applicant:

I hereby attest that I have arranged a bona fide association with a registered optometrist licensed under the laws of the State of South Dakota who has an office meeting the requirements of 20:50:06:01. This association has been made with earnest intent and without fraud or deceit.

Signature of Applicant: _____ Date: _____



SOUTH DAKOTA DEPARTMENT OF HEALTH

Board of Examiners in Optometry

PO Box 513

Wall, SD 57790

sdoptboard@goldenwest.net

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Website: <http://optometry.sd.gov>

DEMOGRAPHICS UPDATE- APPENDIX E

(Do not send with application. You will send this with remaining fees prior to receiving certificate.)

First Name:	Middle Name:	Last Name:
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Email Address:	Cell Phone:
----------------	-------------

South Dakota Primary Practice Information

Practice Name:	Practice Address:
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City:	State:	Zip Code:
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Practice Phone:	If employee, who may we contact to verify employment:
-----------------	---

Employment Status: Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Temp/PRN <input type="checkbox"/>	Hours Worked Per Week:
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Satellite or Secondary Office Information

Practice Name:	Practice Address:
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City:	State:	Zip Code:
-------	--------	-----------

Practice Phone:	Hours Worked Per Week:
-----------------	------------------------

Employment Status: Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Temp/PRN <input type="checkbox"/>
--

Home Address Information

Home Address:	Home Phone:
---------------	-------------

City:	State:	Zip Code:
-------	--------	-----------

Mail Preference

Where would you prefer to receive mail correspondence from the Board? Primary Practice Address Home Address

Please note: You will receive email correspondence from the Board executive secretary with payment reminders and continuing education updates so it is important to have an active email address on file.

Signed:	Date:
---------	-------



OFFICE INSPECTION FORM

Name of Practice: _____

Physical Address: _____

Telephone Number: _____

Optometrist(s) at Location:

20:50:06:02. Inspection of office. Within 60 days following the establishment of a practice of optometry in this state, a new licensee shall inform the secretary of the board. At least one member of the board shall conduct an inspection of the office facility and procedures. This section and § 20:50:06:01 also apply to an optometrist admitted under endorsement provisions or a licensed optometrist who changes location or opens an additional office. The inspection of the office of an optometrist previously licensed in this state is at the option of the board.

Inspecting Board Member: _____

Date of Inspection: _____

20:50:04:04. Maintenance of office. An office maintained for 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.

IS THIS OFFICE:	COMMENTS
Clean and Sanitary: <input type="checkbox"/> YES <input type="checkbox"/> NO	_____
Exclusive of Other Business: <input type="checkbox"/> YES <input type="checkbox"/> NO	_____
Physically Disconnected: <input type="checkbox"/> YES <input type="checkbox"/> NO	_____
Separate Front Entrance: <input type="checkbox"/> YES <input type="checkbox"/> NO	_____

20:50:06:01. Minimum office equipment. The minimum equipment with which licensed optometrists shall operate their offices and engage in the practice of optometry consists of the following items, all of which shall be kept in good condition:

REQUIREMENT:	ACCEPTABLE:	COMMENTS:
(1) Ophthalmic Chair and Instrument Unit.....	<input type="checkbox"/>	_____
(2) Retinoscope.....	<input type="checkbox"/>	_____
(3) Ophthalmoscope.....	<input type="checkbox"/>	_____
(4) Phoropter.....	<input type="checkbox"/>	_____
(5) Keratometer.....	<input type="checkbox"/>	_____
(6) Trial Lens Set.....	<input type="checkbox"/>	_____
(7) Trial Frame.....	<input type="checkbox"/>	_____
(8) Transilluminator.....	<input type="checkbox"/>	_____
(9) Projector Chart or Other Luminous Acuity Chart	<input type="checkbox"/>	_____
(10) Biomicroscope.....	<input type="checkbox"/>	_____
(11) Instrument to Evaluate Intraocular Pressure..	<input type="checkbox"/>	_____
(12) Permanent Patient Record System.....	<input type="checkbox"/>	_____
(13) Visual Field Instrument.....	<input type="checkbox"/>	_____
(14) Color Vision Test Equipment.....	<input type="checkbox"/>	_____
(15) Sanitary Lavatory Basin.....	<input type="checkbox"/>	_____

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.....	<input type="checkbox"/>	_____
(2) Internal and external physical ocular examination	<input type="checkbox"/>	_____
(3) Objective and subjective analysis of refractive error by an optometrist that does not consist solely of information generated by automated or internet-based testing device.....	<input type="checkbox"/>	_____
(4) Analysis of accommodation, convergence and fusional ability when clinically necessary.....	<input type="checkbox"/>	_____
(5) Tonometry.....	<input type="checkbox"/>	_____
(6) Pupil evaluation, extraocular movement testing, and visual field testing (confrontation or electronic).....	<input type="checkbox"/>	_____
(7) Assessment and plan.....	<input type="checkbox"/>	_____

(8) Where indicated by case history and findings produced by the current examination, and 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.

The requirements set forth in the Administrative Rules of South Dakota concerning inspection of any certification notices, office equipment, and optometric examination forms and practices, represent only the minimum requirements imposed on practitioners of optometry in South Dakota. Additional notices, equipment, and examination procedures and documentation may be necessary in order to competently and professionally practice within the highest applicable level of licensure and to satisfy any standard of care that may apply.

Additional comments and observations by board member:

Additional comments and observations by optometrist:

OWNER/OPTOMETRIST SIGNATURE

DATE

BOARD MEMBER SIGNATURE

DATE



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FY18 CONTRACT SUMMARY

- **Tieszen Law Office- Legal Services**
 - \$150/hour
 - Not to exceed \$25,000

- **South Dakota Optometric Society- Education Services**
 - \$4,000 per year

- **BPro- Database Services**
 - \$70/hour
 - Not to exceed \$1,500

- **Scott Kennedy- Investigative Services**
 - \$90/hour
 - Not to exceed \$5,000

- **Lisa Kollis-Young- Investigative Services**
 - \$90/hour
 - Not to exceed \$5,000

- **Deni Amundson- Administrative Services**
 - Salary- \$1,754/month
 - Rent- \$400/month
 - Office and travel expenses reimbursed, not to exceed \$7,000
 - \$3,062 for professional liability insurance
 - Not to exceed \$32,848.00 plus insurance not to exceed \$3,062.