

CR 93-181

CERTIFICATE

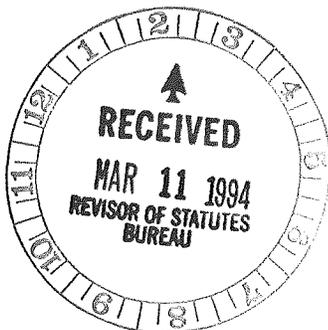
STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

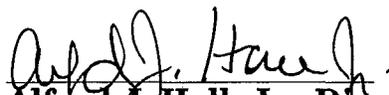
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Alfred J. Hall, Jr., Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Optometry Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Optometry Examining Board on the 11th day of March, 1994

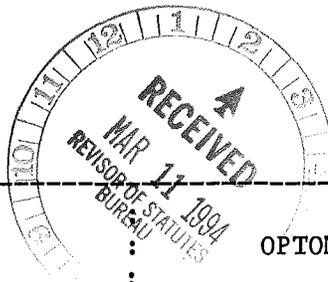
I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 11th day of March, 1994.


Alfred J. Hall, Jr., Director
Bureau of Health Service Professions
Department of Regulation and
Licensing

STATE OF WISCONSIN
OPTOMETRY EXAMINING BOARD



IN THE MATTER OF RULE-MAKING
PROCEEDINGS BEFORE THE
OPTOMETRY EXAMINING BOARD

ORDER OF THE
OPTOMETRY EXAMINING BOARD
ADOPTING RULES
(CLEARINGHOUSE RULE 93-181)

ORDER

An order of the Optometry Examining Board to renumber and amend Opt 6.04 (1); to amend Opt 6.05 (4); and to create Opt 6.04 (1) (b) relating to continuing education.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 449.19 (7), Stats.

Statutes interpreted: ss. 449.01 and 449.18, Stats.

The Optometry Examining Board is authorized under s. 449.18 (7), Stats., to promulgate rules requiring applicants for renewal to attend continuing education courses approved by the board.

In this proposed rule-making order the board renumbers and amends s. Opt 6.04 (1) to specify that at least 2 of the 30 continuing education courses required for renewal under s. 449.18 (4), Stats., must relate to the responsible use of controlled substances and substance abuse concerns, new drugs used for ophthalmic therapeutic purposes which have been approved by the Federal Food and Drug Administration or other topics as designated by the board. These changes are designed to assist in implementing revisions to ch. RL 10, which are being proposed by the Department of Regulation and Licensing in a separate proposed rule-making order, Clearinghouse Rule 93-182, that would allow optometrists to use drugs which are used for ophthalmic diagnostic or therapeutic purposes and which have been approved by the Food and Drug Administration pursuant to the Federal Food, Drug and Cosmetic Act.

Since the proposed changes will take effect in the middle of a renewal biennium, the Department of Regulation and Licensing proposes that language be added to the rule which recognizes the fact that certificate holders would have only half the usual time for gaining the newly required continuing education in specific topic areas.

Since continuing education courses will now be required for optometrists certified to use diagnostic pharmaceuticals as well as therapeutic pharmaceuticals, the language in s. Opt 6.05 (4) was broadened to cover both practice areas. This language also broadens the concern of course content to the total condition of the eye, rather than on simply the drugs used for treatment.

TEXT OF RULE

SECTION 1. Opt 6.04 (1) is renumbered 6.04 (1) (a) and as renumbered amended to read:

Opt 6.04 CONTINUING EDUCATION. (1) (a) A Except as provided in sub. (b), a certificate holder as specified in s. Opt 6.02 (4) shall complete 30 hours of approved continuing education in the use of therapeutic pharmaceuticals and the removal of superficial foreign bodies from an eye or from an appendage to the eye relating to diagnosis and management of eye disease in each biennial registration period. Seven of the 30 hours must be in the diagnosis and management of glaucoma, and 2 of the 30 hours must relate to the responsible use of controlled substances and substance abuse concerns, new drugs used for ophthalmic therapeutic purposes which have been approved by the federal food and drug administration or other topics as designated by the board.

SECTION 2. Opt 6.04 (1) (b) is created to read:

Opt 6.04 (1) (b) During the biennium renewal registration period beginning on January 1, 1994, and ending on December 31, 1995, a certificate holder as specified in s. Opt 6.02 (4) shall complete 30 hours of approved continuing education relating to the diagnosis and management of eye disease. Seven of the 30 hours must be in the diagnosis and management of glaucoma, and 1 of the 30 hours must relate to the responsible use of controlled substances and substance abuse concerns, new drugs used for ophthalmic therapeutic purposes which have been approved by the federal food and drug administration or other topics as designated by the board.

Note: A list of approved topics designated by the board for purposes of satisfying the 2 hour course requirement under this section may be obtained from the board at P.O. Box 8935, Madison, Wisconsin 53708.

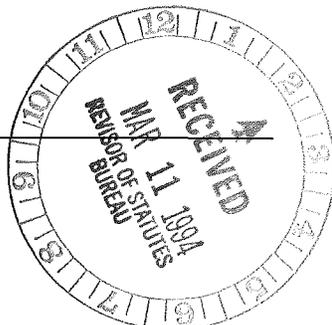
SECTION 2. Opt 6.05 (4) is amended to read:

Opt 6.05 (4) If a continuing education course includes subject matter other than that related to ~~therapeutic pharmaceuticals~~ diagnosis and management of eye disease and removal of superficial foreign bodies from the eye or from an appendage to the eye, only the board-approved portions of the course which relate to ~~therapeutic pharmaceuticals~~ diagnosis and management of eye disease and removal of superficial foreign bodies from the eye or from an appendage to the eye qualify as continuing education required under this chapter.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 3/11/94



Agency Synda Jansen, MD
Chairperson
Optometry Examining Board

CORRESPONDENCE/MEMORANDUM

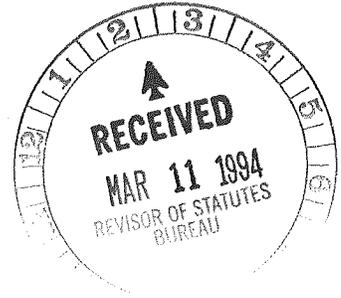
STATE OF WISCONSIN

DATE: March 11, 1994

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Administrative Assistant
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Rulemaking Order



Agency: OPTOMETRY EXAMINING BOARD

Clearinghouse Rule: 93-181

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the code.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.