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**TITLE 857 INDIANA OPTOMETRIC LEGEND  
DRUG PRESCRIPTION ADVISORY  
COMMITTEE**

**Proposed Rule**  
LSA Document #05-43

**DIGEST**

Amends 857 IAC 1-2-3 to revise the requirements for sponsoring organizations to obtain continuing education course approval. Amends 857 IAC 1-3-2 and 857 IAC 1-3-3 to revise the continuing education requirements to obtain an Indiana optometric legend drug certificate under IC 25-26-15-16(2) and to renew a certificate under IC 25-26-15-18. Effective 30 days after filing with the secretary of state.

**857 IAC 1-2-3**

**857 IAC 1-3-2**

**857 IAC 1-3-3**

SECTION 1. 857 IAC 1-2-3 IS AMENDED TO READ AS FOLLOWS:

**857 IAC 1-2-3 Standards for approval; length of approval time**

**Authority:** IC 25-26-15-13

**Affected:** IC 25-26-15-16; IC 25-26-15-18

Sec. 3. (a) **The committee approves the following courses:**

(1) **Courses that meet all the requirements of this rule.**

(2) **Courses for which the sponsoring organization provides satisfactory documentation that the Council on Optometric Practitioner Education (COPE) has approved the course in the areas of ocular pharmacology or ocular therapeutics. Any committee approval based on such COPE approval will cease immediately upon notice from COPE that approval of the course has been discontinued for any reason.**

~~(a)~~ (b) **The committee will approve a course if it determines that the course will make a significant contribution to the professional knowledge of optometrists in their understanding of ocular pharmacology or ocular therapeutics. In determining if a course meets this section, the committee will consider the following:**

(1) The course has substantial content.

(2) The course content directly relates to ocular pharmacology or ocular therapeutics.

(3) Each faculty member who has teaching responsibility in the course is qualified by academic work or practical experience to teach the assigned subject.

(4) The physical setting for the course is suitable.

(5) High quality written materials, including notes and outlines, are available to all optometrists who enroll at or ~~prior to~~, **before** the time the course is offered.

(6) The course is of sufficient length to provide a substantial educational experience. Courses of less than one (1) hour will be reviewed carefully to determine if they furnish a substantial educational experience.

(7) Appropriate educational methodology is used, including, but not limited to, the following:

(A) Prepared library packages.

(B) Courses of programmed instruction.

(C) Active participation and demonstration.

(D) Audio-visual materials.

(E) Workshops with live presentations of clinical cases.

(8) An adequate number of instructors is provided for the course. If audio-visual tapes are used as teaching materials, live

presentations or discussion leaders must accompany the replaying of the tapes.

~~(b)~~ (c) Once a course is approved under this section, the course is approved for four (4) years from the date of initial approval if the:

(1) instructor remains the same; and ~~the~~

(2) course content remains essentially the same in substance.

*(Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-2-3; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; filed Jan 27, 1994, 5:00 p.m.: 17 IR 1098; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896)*

SECTION 2. 857 IAC 1-3-2 IS AMENDED TO READ AS FOLLOWS:

### **857 IAC 1-3-2 Original certification**

**Authority: IC 25-26-15-13**

**Affected: IC 25-26-15**

Sec. 2. To obtain an original certificate, an optometrist must do all of the following:

(1) Complete an Indiana optometric legend drug certificate application, which shall include the following information:

(A) Name.

(B) Business name (if applicable).

(C) Primary practice address.

(D) Indiana optometrist's license number.

(E) Signature and date.

(F) Answer whether or not any previous license or certificate held by the applicant has been surrendered, revoked, **or** denied or is pending action.

~~(2) Either:~~

~~(A) do both of the following:~~

~~(i) (2) Provide proof of education in ocular pharmacology from a school or college of optometry or medicine by providing a transcript of the course work taken by the applicant from the school or college. and~~

~~(ii) (3) Provide a score report certifying successful completion of the Treatment and Management of Ocular Disease (TMOD) examination that is sponsored by the International Association of Boards of Examiners in Optometry (IAB) and administered by the National Board of Examiners in Optometry. or~~

~~(B) provide proof that the applicant has obtained twenty (20) hours of continuing education course work in ocular pharmacology after January 1, 1991, in courses approved by the committee by providing copies of certificates proving attendance.~~

*(Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-3-2; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896)*

SECTION 3. 857 IAC 1-3-3 IS AMENDED TO READ AS FOLLOWS:

### **857 IAC 1-3-3 Renewal of the certificate**

**Authority: IC 25-26-15-13**

**Affected: IC 25-26-15**

Sec. 3. (a) A certificate issued to an optometrist under IC 25-26-15 and this title expires on April 1 of each even-numbered year. The board shall renew a certificate under this section concurrently with the license of an optometrist to practice in Indiana.

(b) To renew a certificate, the optometrist must provide proof of ~~thirty (30)~~ **twenty (20)** hours of continuing education course work obtained since April 1 of the previous even-numbered year in courses approved by **either of the following:**

(1) The committee under 857 IAC 1-2.

(2) **The Council on Optometric Practitioner Education, specifically in the areas of ocular pharmacology or ocular therapeutics.**

(c) For purposes of certification renewal, courses in ocular pharmacology or ocular therapeutics are acceptable to meet the continuing education requirement.

(d) An optometrist initially certified between April 1 of even-numbered years and March 31 of the succeeding odd-numbered year

shall only be required to obtain ~~fifteen (15)~~ **ten (10)** hours of continuing education for the initial renewal of the certificate.

(e) An optometrist initially certified between April ~~1st~~ **1** of odd-numbered years and March ~~31st~~ **31** of the succeeding even-numbered year shall not be required to obtain continuing education for the initial renewal of the certificate.

(f) Continuing education credits obtained:

(1) for the original issuance of a certificate; or

(2) to complete the continuing education requirements of a previous biennium;

may not be counted toward meeting the continuing education requirements under subsection (b). (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-3-3; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; errata filed Jul 10, 1992, 9:00 a.m.: 15 IR 2465; filed Jan 27, 1994, 5:00 p.m.: 17 IR 1098; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

### ***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on August 31, 2005 at 10:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room D, Indianapolis, Indiana the Indiana Optometric Legend Drug Prescription Advisory Committee will hold a public hearing on proposed amendments to revise the requirements for sponsoring organizations to obtain continuing education course approval and to revise the continuing education requirements to obtain an Indiana optometric legend drug certificate under IC 25-26-15-16(2) and to renew a certificate under IC 25-26-15-18.*

*The Indiana Optometric Legend Drug Prescription Advisory Committee has the authority to establish the continuing education requirements for the certificate renewal. This proposed rule revises the requirements for continuing education course approval and the continuing education requirements to obtain and renew a certificate. The revisions to the continuing education course approval requirements expand the scope of the Committee's approval of continuing education courses. The proposed rule will provide licensees with more courses that the Committee will accept to meet the licensing and renewal requirements. The revision to continuing education requirements to obtain and renew a certificate reduces the number of hours applicants or licensees have to obtain. This rule will have no costs on the regulated entities.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W072 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Frances Kelly  
Executive Director  
Indiana Professional Licensing Agency