

The following regulatory changes become effective on October 19, 2009. Please note that language in brackets [] has been deleted and new language is *italicized*. The full text of the revised regulations will be mailed out with the annual Board newsletter in December 2009.

10.28.02 Continuing Education Requirements

Authority: Health Occupations Article, §§11-308(c) and 11-309,
Annotated Code of Maryland

.02 [Definition.] *Definitions.*

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Council on Optometric Practitioner Education (COPE)” means the committee of the Association of Regulatory Boards of Optometry, which acts as a national clearinghouse for continuing education courses of a state-wide, regional, or national scope.

(2) “Credit hour” means [attendance in class for 1 hour. One credit hour is interpreted to mean 1 classroom hour.] participation in 1 hour of education.

(3) “Pro bono work” means work provided in Maryland within the scope of practice of the licensee without financial reimbursement or direct financial gain.

.04 Continuing Education Audit Procedure.

A. [After each] *At the time of renewal, the Board shall audit randomly 20 percent of the renewal applications.*

B.—C. (text unchanged)

[D. If a licensee submits a false statement of continuing education, the Board shall take formal disciplinary action against the licensee.]

.05 Course Credit.

A. (text unchanged)

B. Credit may be approved for the following:

(1) (text unchanged)

(2) Courses [given by approved providers of the American Optometric Association subject to prior approval by the Board] *that have received COPE approval*; however, the Board reserves the right to refuse credit when its established criteria are not met;

(3) (text unchanged)

(4) Courses given by local optometric societies or health-related [organizations] *sponsors*, or both, upon prior approval by the Board.

(5) (text unchanged)

(6) Published papers in professional journals, [or] papers approved for publication, *or papers that have been peer-reviewed* for which credit will be awarded at [1½] 2 hours per paper, up to a maximum of [9] 12hours per renewal cycle;

(7) Courses given in optometric or other professional journals with a post test, or Internet courses with a post test, up to a maximum of [12] 20 hours per renewal cycle; however, these courses are subject to approval by the Board;

(8) Observation of [optometric] *ophthalmic* procedures at sites approved by the Board, up to a maximum of 6 hours per renewal cycle: [and]

(9) Courses in optometric ethics, Maryland optometric jurisprudence, or both, as approved by the Board, up to a maximum of 4 hours per renewal cycle[.]; *and*

(10) *Pro bono work providing patient eye care as outlined in §I of this regulation.*

C. Credit will be allowed on the basis of an hour for an hour, *except for pro bono work*. To receive 1 hour's credit, one shall attend *or participate* 1 full hour. There shall be no fractional hour credits.

D.—H. (text unchanged)

I. Pro Bono Work.

(1) *Pro bono work shall earn 1 credit hour for each 3 hours of approved continuing education activity, up to a maximum of 6 credit hours per renewal cycle.*

(2) *The licensee shall provide to the Board a written application for approval of pro bono work. The application shall include:*

(a) *The place where the pro bono will be provided;*

(b) *The type of work to be provided;*

(c) *The number of hours of actual work provided for which the licensee desires credit*

hours; and

(d) A statement guaranteeing that the work provided no financial benefit to the licensee.

(3) Upon completion of the work, the licensee shall obtain from the facility evidence of completion of *pro bono* hours.

(4) Credit hours for *pro bono* work are in the general category.

.06 Proof of Education.

A. (text unchanged)

B. To obtain credit, one's [attendance] *participation* shall be attested to in writing by someone in charge of the program.

C. Failure to do so shall be grounds for nonrenewal of the [certificate of registration] *license*.

10.28.03 Examination and Licensing of Optometrists

Authority: Health Occupations Article, §§11-205 and 11-302—11-308,
Annotated Code of Maryland

.08 [Office Location] *Address of Record*.

A. An optometrist shall notify the Board of the [address of the] optometrist's [primary place of business] *principal address* in Maryland.

B. An optometrist shall report a change of *principal* address within 30 days [of beginning a practice in a new location].

10.28.07 Fee Schedule

Authority: Health Occupations Article, §§11-205 and 11-302—11-308,
Annotated Code of Maryland

.02 Fees.

A.—G. (text unchanged)

H. Second office certificate \$5 [;]

[I. Replacement wall certificate \$25;

J. Limited license fee \$100].

10.28.08 Partial Waiver of Examination

*Authority: Health Occupations Article, §§11-205 and 11-302—11-308,
Annotated Code of Maryland*

.02 Application.

A. (text unchanged)

B. An applicant shall submit the following documentation with the application:

(1) (text unchanged)

(2) An affidavit from the other state licensing board attesting that the applicant became licensed in the other state by passing an examination [given] *approved* by the board of optometry in that state;

(3)—(6) (text unchanged)

10.28.12 Therapeutic Pharmaceutical Agents

*Authority: Health Occupations Article, §§11-205 and 11-302—11-308,
and 11-404.1,
Annotated Code of Maryland*

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(5) (text unchanged)

(6) “Ophthalmologist” means a physician:

(a) Who practices in the specialty of ophthalmology and who is licensed by the Maryland Board of [Physician Quality Assurance] *Physicians*;

(b) (text unchanged)

(7)—(13) (text unchanged)

.02 Requirements for Certification.

A. Except for an optometrist who qualifies under §B *or C* of this regulation, the Board shall certify an optometrist licensed to practice in Maryland as qualified to use TPAs if the licensed optometrist submits to the Board evidence satisfactory to the Board that the optometrist:

(1) (text unchanged)

(2) Has successfully passed the National Board of Examiners in Optometry's (NBEO) Treatment and Management of Ocular Disease (TMOD) Examination; [and]

(3) Is currently certified by the Board to administer topical ocular DPAs; *and*

(4) Has successfully completed a Board-approved 8-hour course in the management of topical steroids.

B. (text unchanged)

C. If an optometrist who has graduated on or after July 1, 2005, from an accredited school of optometry recognized by the Board, is not certified within 3 years of graduation, the Board shall certify the optometrist to use TPAs if the optometrist:

(1) Has successfully completed at least 110 hours of Board-approved TPA continuing education within 3 years before applying for certification to use TPAs;

(2) Has successfully passed a pharmacology exam under §A of this regulation; and

(3) Submits proof of current certification in cardiopulmonary resuscitation (CPR) to the Board.

[C.] D. (text unchanged)

.06 Quality Assurance Program.

A. The Quality Assurance committee shall include in the Quality Assurance Program a Record Review Program[, Data Collection,] and TPA Self-Assessment as defined in [§§(B)—(D)] §§B—C of this regulation.

B. (text unchanged)

C. TPA Self-Assessment.

(1) [On a yearly basis] *At the time of license renewal* the therapeutically certified optometrist shall complete a self-assessment checklist provided by the Quality Assurance Committee to evaluate the following aspects of the optometrist's practice utilizing TPAs, including but not limited to:

(a)—(p) (text unchanged)

(2)—(3) (text unchanged)

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