



Laws, Rules, and Policy Training for Optometrists

State Vision Professionals Board

E-Mail: Board@Vision.Ohio.gov

History of State Boards

- Founded in 1919



- Founded in 1980



- Boards merged in January of 2018 to form the

State Vision Professionals Board



State Vision Professionals Board

- Mission: The board is to protect and serve the public of Ohio by effectively and efficiently regulating the practices of Optometry, Opticianry.
- The board meets on a quarterly basis.
 - Four (4) doctors of optometry
 - Two (2) opticians
 - One (1) public member
- Oversees nearly 7,000 optometrists, opticians, apprentices.
- The board office staff consists of an executive director, an investigator, and two administrative assistants.

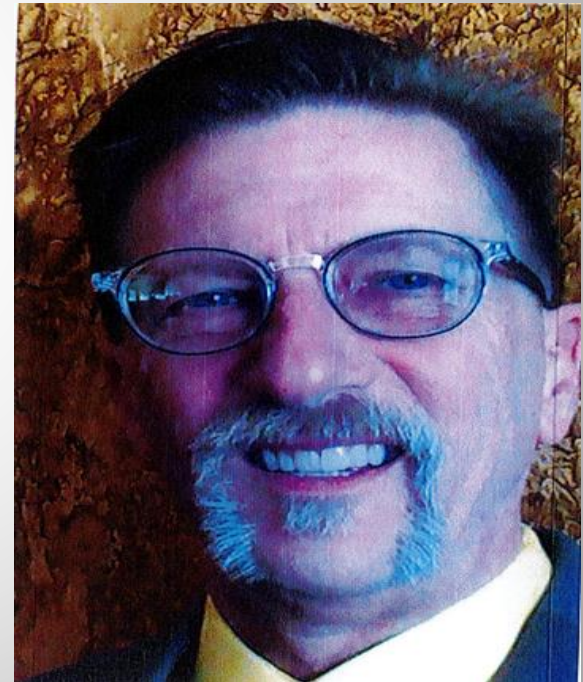


Board Members

Adrienne Chatters, OD
President
Optometrist



Mr. Brian Miller
Secretary
Optician/ Ocularist



Board Members

Mr. Thomas Barracato
Member
Optician



Darrell “Duke” Dye, OD
Member
Optometrist



Board Members

Mr. Roger Geiger
Public Member



Rebecca Brown
Member
Optometrist



Member
Optometrist

Vacant Position

What is OARRRS?



History of OARRS

- Ohio General Assembly adopted legislation in 2004 authorizing the State of Ohio Board of Pharmacy to create a Prescription Monitory Program (PMP), known as OARRS. Established in 2006, **OARRS is a tool to track the dispensing and personal furnishing of controlled prescription drugs to patients.** The database collects information on all outpatient prescriptions for controlled substances dispensed by Ohio-licensed pharmacies and personally furnished by prescribers in Ohio.
- OARRS is designed to monitor the information for suspected abuse or diversion and can give a prescriber or pharmacist critical information regarding a patient's-controlled substance prescription history. **OARRS assist prescribers and pharmacists identify high-risk patients who may benefit from early interventions and is an insurance fraud investigative tool.**
- **Medical marijuana and Naltrexone dispensing to be reported on OARRS in 2019.**
- Drug wholesalers are required to submit information on all controlled substances sold to an Ohio licensed pharmacy or prescriber.

Participation in OARRS

- **Optometrists are no longer required to register with OARRS** before prescribing opioid analgesics.
- Suspect that a patient may be abusing or diverting drugs? Use sound clinical judgment in determining whether the drug should be prescribed or furnished.

Participation in OARRS

- Highly recommended that an OARRS history report is registered and accessed, if the patient exhibits the signs of drug abuse or diversion.
- **Must register for OARRS when prescribing for patients under the age of 18.**
- <https://www.Ohiopmp.gov>

2018 Annual Report



2018 ANNUAL REPORT EXECUTIVE SUMMARY



OHIO CONTINUES TO MAKE PROGRESS AGAINST THE OPIOID EPIDEMIC

The 2018 OARRS Annual Report demonstrates Ohio's continued progress in promoting the safe prescribing of opioids and benzodiazepines.

↓ **325 MILLION**
DECREASE IN DOSES OF
OPIOIDS DISPENSED



The total doses of opioids dispensed decreased from a high of 793 million in 2012 to 468 million in 2018, a 41 percent decrease.

The total doses of benzodiazepines dispensed decreased from a high of 297 million in 2012 to 197 million in 2018, a 34 percent decrease.

↓ **100 MILLION**
DECREASE IN DOSES OF
BENZODIAZEPINES
DISPENSED



↑ **7,900%**
INCREASE IN
OARRS QUERIES



The number of queries for patient information in OARRS increased from 1.78 million in 2011 to 142.50 million in 2018, a 7,900 percent increase.

Ohio has made significant progress in promoting integration of OARRS into electronic health records and pharmacy dispensing systems. 41,000 pharmacists and prescribers now have direct access to OARRS as part of their workflow.

41,000
PRESCRIBERS AND
PHARMACISTS
HAVE INTEGRATED
ACCESS TO OARRS



↓ **89%**
DECREASE IN
DOCTOR SHOPPERS



The number of individuals engaged in doctor shopping behavior decreased from 2,205 in 2011 to 239 in 2018, a decrease of 89 percent.

The State of Ohio Board of Pharmacy will continue its mission to protect the citizens of Ohio and ensure OARRS remains one of the top prescription monitoring programs in the country. For more information, please find our full report at: www.pharmacy.ohio.gov/OARRS2018.

Registering with the Drug Enforcement Administration (DEA)

- **DEA approval number is required to lawfully dispense controlled substances.**
- **Only about 25% of Ohio optometrists have DEA numbers.**
- Certificate costs over \$700 to obtain.
- Prescribing opioids can raise red flags with enforcement agencies and potential scrutiny.





Ohio Revised Code (ORC)

Chapter 4725: Optometrists

Enacted by the Ohio Legislature

(also called the General Assembly which are State of Ohio Senators and Representatives not UNITED STATES)

Defines scope of practice
Violations carry criminal penalties



4725.01 Optometry Definitions

- **Therapeutic pharmaceutical agent is defined as a drug or dangerous drug that is used for examination, investigation, diagnosis, treatment, or prevention of any disease, injury, or other abnormal condition of the visual system.**
- **Used in the practice of optometry by a licensed optometrist.**
- There is no longer a specific written formulary of drugs that are within your scope, instead, a prescription for oral drugs or dangerous drugs in the following classifications:
 - Anti-infectives, including antibiotics, antivirals, antimicrobials, and antifungals;
 - Anti-allergy agents and antiglaucoma agents; and
 - Analgesics, including only analgesic drugs that are available without a Rx, analgesic drugs or dangerous drugs that require a prescription, but are not controlled substances, and to the extent authorized by the board analgesic controlled substances.

4725.091 Prescribing Analgesics

Valid DEA Number Required

- A preparation used for the treatment of pain that contains not more than **60 mg of codeine** per dosage unit and contains other active nonnarcotic ingredients (e.g. acetaminophen or aspirin) in a recognized therapeutic amount.
- A preparation used for the treatment of pain that contains not more than **7.5 mg of hydrocodone** per dosage unit and contains other active nonnarcotic ingredients (e.g. acetaminophen, aspirin, ibuprofen) in a recognized therapeutic amount.
- **The total quantity prescribed shall not exceed a single four-day supply of controlled substances per episode of illness, injury and/or treatment.**
- **The DEA has identified optometrists in Ohio as having Schedule II (oxycontin), III (Tylenol with codeine), and IV authority.**

4725.01 Definitions

- **Anti-inflammatories are permitted.**
- However, **no oral steroids are permitted**, other than methylprednisolone, which may be used by a licensed optometrist, only if it is prescribed under the following conditions:
 - For use in an adult (over 18) allergy cases;
 - Based on an individual's episode of illness; and
 - In an amount that does not exceed the amount packaged for a single course of therapy.

4725.01 Definitions

- **May not perform any invasive procedure as a doctor of optometry.**
 - Any procedure that involves cutting or otherwise infiltrating human tissue by mechanical means including surgery, laser surgery, ionizing radiation, therapeutic ultrasound, injections, or the removal of intraocular foreign bodies (other than those that can be non-invasively removed from the corneal epithelium).
- Rust ring removal is permitted - Alger brush.
- Diagnostic ultrasound (A and B Scan) are permitted.
- **May administer Epinephrine by injection to individuals in emergency situations to counteract anaphylaxis or anaphylactic shock.**
- May assist in checking a patient's blood glucose level by using a commercially available glucose-monitoring device [Optometry definitions \(A\)\(3\)\(d\)](#). Any blood sample taken will be for this purpose only.

4725.011 Vision-Correcting Device Delivering Drugs

- **A licensed optometrist may prescribe and dispense any device that has vision correction as its primary purpose.**
- The device may also combine with that purpose, the delivery of a drug or dangerous drug through the device.
- If the drug delivered is a topical ocular pharmaceutical agent or an oral therapeutic pharmaceutical agent that is within your scope of practice.
- Example: Prokera amniotic tissue therapeutic bandage

4725.13 Display of Certificates

- **Must display license at the practice of optometry site in a location that is visible to the public.**
 - The optometric wall certificate.
 - Displaying of other credentials is optional.

4725.16 Expiration of Certificate – Renewal Process

- The Board uses an **on-line application and renewal process, called eLicense.**
- The eLicense system operates in a secure web-based environment.
- License expires at the end of the calendar year.
- All renewals, new applications, reinstatements, and service requests will be processed online.
- eLicense link is eLicense.ohio.gov/

4725.19 Disciplinary Actions

- **Suspend** any or all certificates granted.
- **Permanently revoke** any or all certificates granted.
- Limit or otherwise place restrictions on any or all certificates granted.
- Issue a **reprimand**.
- Impose a **monetary penalty**.
- Requirement taking corrective action courses.
(e.g. significant deviations from accepted standards of care.)

4725.19 Disciplinary Actions

- Committing fraud in passing the licensing examination or making false or purposely misleading statements in an application.
- Being at any time guilty of immorality, regardless of the jurisdiction in which the act was committed.
- Being **guilty of dishonesty or unprofessional conduct in the practice of optometry.**
- Being at any time guilty of a felony, regardless of the jurisdiction in which the act was committed.
- Being at any time guilty of a misdemeanor committed in the course of practice, regardless of jurisdiction.
- Violating the conditions of any limitation or other restriction placed by the board on any certificate issued by the board.
- **Engaging in the practice of optometry when the certificate authorizing that practice is under suspension, in which case, the board shall permanently revoke the certificate.**
- Failing to make required reports to the board or to respond to a complaint.

4725.19 Disciplinary Actions

- Being denied a license to practice optometry in another state or country or being subject to any other sanction by the optometric licensing authority of another state or country, other than nonpayment of fees.
- Departing from or failing to conform to acceptable and prevailing standards of care in the practice of optometry as followed by similar practitioners under the same or similar circumstances, regardless of whether actual injury to a patient is established.
- Failing to maintain comprehensive patient records.
- **Having deceptive or misleading advertising, soliciting patients, or establishing temporary offices.**
- **Being addicted to alcohol, stimulants, narcotics, or other substances which impair** the intellect and judgment to such an extent as to hinder or diminish the person's practice of optometry.
- Practicing optometry without authority to do so, or beyond the scope of your license.
- **Failing to make a report to the board regarding clinically significant drug induced side effects.**

4725.21 Duty to Report Unprofessional Conduct or Addictions

- If a licensee has reason to **believe that another doctor of optometry licensed currently or previously by the board has engaged in unprofessional conduct, or has an addiction subject to board action, that licensee shall make a report to the board.**



- In the absence of fraud or bad faith, no person who reports to the board, or testifies in any adjudication, shall be liable for damages in a civil action as a result of their report or testimony.
- Helps protect the profession by reporting misconduct.



- **Failing to report unprofessional conduct can adversely impact your own license.**

4725.22 Professional Liability Insurer to Report Final Disposition for Claims

- **Must report the results of civil cases**, in which licensee is named, and civil judgements against licensee to the board.
 - **In writing within thirty 30 days.**



4725.24 Suspension of License Without a Hearing

- Practice presents a danger of immediate and serious harm to the public.
- The board may recommend the suspension, without a prior hearing, of certificates of licensure.
- A hearing would be convened at a later date.

4725.25 Prohibited Terms

Unauthorized Practice

- **Optometric physician**
- **Medical doctor**
- **Physician/Surgeon**
- **Oculist**
- **Ophthalmologist**



**Any other term indicating the
practice of medicine.**

4725.28 Copy of Prescription to be Given to Patient

- **Provide one copy of the optical Rx to the patient, whether requested or not.**
 - Exam has been paid
 - Final fitting is complete
- **Not required to provide an expired prescription.**
- Not prohibited from filling an expired prescription, though it is not viewed as a sound practice management decision.
- Can delay releasing the Rx for a significant ocular health reason that is documented in the chart.
- **Cannot charge extra for furnishing an Rx.**
- Federal Trade Commission Prescription Release Rule has civil penalties up to \$10K for violations.

4725.30 Ocular Abnormalities

- If while examining a person, a detection of **evidence of an ocular abnormality requiring further diagnosis or possible treatment that is NOT included in your scope of practice; licensee shall:**
 - **advise the patient to see a M.D./D.O.** authorized to practice medicine and surgery; and
 - **include in the patient's records an entry specifying that the notice required by law was given.**

4725.33 Offering Services Through Authorized Business Entity

- **Doctors of optometry are independent primary health care providers.**
- **A leased space from a general corporation or an unlicensed individual, shall do so on a flat rate basis only.**
 - Protects your professional autonomy and independence.
 - The board may request copies of leases.
 - Licensee is responsible for establishing and maintaining a proper lease.
- The performance of **optometric services for the public, while under the direct or indirect control of a corporation/individual is prohibited.**

4725.33 Offering Services Through Authorized Business Entity

- **Licensee cannot be paid on an hourly, weekly, or per examination basis, or have fees supplemented by a non-professional corporation or unlicensed individual. Licensee cannot split fees with an unlicensed individual or general corporation.**
- **Exception: Licensee may work for an optician in a non-profit organization**, provided that no unlicensed control is exerted over optometric procedures.
 - For the exception, a **nonprofit corporation or foundation must be approved by the Ohio Secretary of State** and must be primarily funded by federal grants, state grants and endowments.

Ohio Administrative Code (OAC)

Chapter 4725: Optometry



The rules are designed by the Vision Professionals Board to further interpret, amplify and define the ORC statutes. All rules are mandated to a five-year review by the Common Sense Initiative Office (CSI) and the Joint Committee on Agency Rule Review (JCARR). The members of JCARR is a committee consisting of State of Ohio Senators and Representatives.

Violations usually carry civil penalties.



4725-5-01 Solicitor, Agent, etc.

- **The employing of any solicitor or agent for the purpose of securing patients or acting as a solicitor or agent in the referring of patients is prohibited.**
- **Engaging in the division of fees for the referral of patients or receiving of any article of value in return for a specific referral of a patient to utilize a particular service or business is prohibited.**
- The receipt of fees for actual services provided in the co-management of patients with a licensed physician or with a professional corporation is permitted.
 - May accept payment for post-operative services from the surgeon or professional corporation, which received the original global fee.
 - Post-operative fees should be commensurate with the professional care that is documented in the patient's record.
 - **The optometrist cannot accept payment from the referral entity, a licensed physician or a corporation, for pre-surgical visits or consultations. The purpose is to assure the neutrality of the consultation and any subsequent referral recommendations.**
 - The only exchange of value permitted between the optometrist and the physician shall be payment for services performed.

4725-5-02 Guarantees Prohibited



- You cannot guarantee any type of optometric service.
- Advertising to guarantee any optometric service constitutes dishonesty and unprofessional conduct.

Succeeding, Successor To

- Buy or acquire an optometric practice? Terms may be used such as *succeeding*, *successor to*, *formerly with*, or other words or phrases of similar meaning in connection with the former optometrist's name.
- **May use the former doctor's name for up to one year, after taking over the practice.**
- **All stationary baring the former doctor's name must be removed from the premises.**

4725-5-08 Use of license by other

- Licensee may **practice optometry only under the name in which your certificate of licensure is issued and registered.**
- Report lawful name changes to the board immediately as a service request via Ohio eLicense.



4725-05-08 Use of License by Another

- **Licensee cannot permit another person to use license or certificates.**
- **The impersonation of another holder of a certificate of licensure for any purpose is prohibited.**

4725.66 Code of Ethics

- **Unprofessional conduct means any departure from or failure to conform to the minimal standards of acceptable practice.**
- **The obtaining of any fee by fraud or deception.**
- **Filing any claims without providing the services represented.**
- Optometrist sentenced to 33 months in federal prison for Medicare fraud in 2014.
 - Source: The Augusta Chronicle - Georgia

4725-5-11 Keeping of Records

- **The records are the licensees; however, patients do not need a release to obtain copies of their own records. Patients are entitled to copies.**
 - A reasonable charge may be made for copying lengthy records.
- Upon retirement or termination of practice, patient records may be transferred or sold to another licensed optometrist for custody.
- **Patients must be notified of the transfer of records and informed that the records can be forwarded to a doctor of choice, or to the patient.**
- If the patient does not request that the records be transferred to another doctor, the **records shall be retained for at least seven years by the doctor.**
- Patients must know the record location.

4725-5-13 Puffery

Prohibited Terms

- **Eye specialist**
- **Contact lens specialist**
- **Optometric eye specialist**
- **Expert**
- **Other similar words** that convey special proficiency, skill, knowledge, or practice methods

The goal is to make a level playing field for optometry.



4725-5-14 Procedures for Reporting Clinically Induced Reactions

- Shall notify the board office within seventy-two hours of the occurrence of any instance of a clinically significant drug-induced side effect in a patient resulting from the **optometrist** administering, employing, applying, or furnishing a topical ocular or therapeutic pharmaceutical agent to or for the patient.
- A report form may be provided by the board to the reporting doctor.
- The report shall be completed and forwarded to the board office within ten days of receipt to provide the required information.

4725-5-14 Procedures for Reporting Clinically Induced Reactions

- What is a clinically significant drug-induced side effect?
- An **unexpected reaction by a person resulting from a topical ocular or therapeutic pharmaceutical agent administered by licensee or another under your control.**
- It **occurs within twenty-four hours** after the drug is administered.
- Requires either **referral to a MD/DO for treatment or hospitalization** of the individual or intervention by EMS.

4725-5-15 Notification to Board of Primary Practice Location

- **Each optometrist who holds an active license, shall notify the board of the primary address of practice, and where license is displayed.**
- The holder of a license shall notify the board of any changes of address of the primary practice where the license is displayed.
- The license holder will take whatever steps are necessary to see that patients are informed of the new location, or the location of the patient's records.
- Rx's for therapeutic pharmaceutical agents shall contain the optometrist's name, address of the location where their optometric license is displayed.
- **The information must be provided within thirty days of any changes.**

4725-5-16 Display of Name

- The names of **optometrists practicing at a location must be prominently displayed to the public.**
- Licensee name properly displayed on the door of any satellite location is adequate.
- How to display your name? The **minimum requirement is the licensee's name and O.D., or optometrist, or doctor of optometry after the name.**
 - Dr. John Smith, Optometrist
 - Dr. John Smith, O.D.
 - Jane Smith, O.D., John Smith, Doctor of Optometry
 - Doctors John Smith, Jane Smith, and John Doe, Optometrists

4725-5-16 Display of Name

- **Not required if, licensee is:**
 - In a practice at a health maintenance organization;
 - **In a public health clinic or clinic affiliated with a school of optometry;**
 - **Employed at a hospital** or licensed health care facility; and
 - A consultant to the industry or an educational facility.
- **In these locations, the doctor will wear an identifying name plate or name embroidered garment when in direct patient contact.**

4725-5-16 Required Office Equipment, Safety, and Hygiene

- **Establish and maintain a safe and hygienic office** adequately equipped to provide full optometric services within your scope of practice.
- The board requires the following minimum equipment needed to provide a full scope examination which shall include, but not be limited to:
 - A tonometer;
 - A slit lamp;
 - Instruments to examine the retina; and
 - Perform visual fields tests.
- **All required equipment must be in proper operating order.**
- **All practices shall be equipped with adequate hand washing facilities** on location for doctors, staff, and patients.



Unprofessional Office Appearance

Patient Reception Area



Trial Lenses Storage Area



4725-5-17 Notification of Examination Services to Patient

- **Licensee is responsible for providing the patient with certain information prior to and during the course, of the examination to permit the patient to make informed decisions.**
- The usual and customary fees for an eye examination will be defined for the patient, which will include the cost of an examination for spectacles or for contact lenses.
- **The professional fees for a contact lens examination will include all procedures, tests and fitting requirements that are customarily required in a standard examination to obtain all information needed to produce a valid contact lens Rx.**
- In conducting a standard eye examination, the use of dilating agents or topical ocular pharmaceutical agents will be included in the usual and customary fee and not identified as a separate or additional cost.
- **Licensee shall not conduct an eyeglasses examination and write on the eyeglasses Rx "approved for contact lens" or any other similar wording.**

4725-5-18 Delegation of Duties to Ancillary Personnel

- **Ancillary personnel may not, under any circumstances, be delegated diagnosis or treatment duties, refractions or interpretation of testing that requires optometric judgement.**
- Personnel can perform certain procedures and tasks with the proper level of supervision.
- **Licensee is responsible for ancillary personnel's professional actions.**

4725-5-18 Delegation of Duties to Ancillary Personnel

The law defines the **three levels of SUPERVISION** over ancillary personnel:

- **Direct - means the doctor must be on the premises** both while the procedure is being performed by the staff and to interpret the data upon completion of the task.
- **General - means that the doctor assumes responsibility** for the activities and tasks performed by ancillary personnel but need not be present while tasks are performed. The doctor must be available for consultation and direction by phone.
- **Administrative** - means supervision to an extent that the doctor need not be present but **must give proper instruction on procedures and assumes responsibility for the actions of ancillary personnel**. Licensees are not required to be available for immediate contact at the administrative level.

4725-5-18 Delegation of Duties to Ancillary Personnel

- Activities that can be performed by ancillary personnel include:
 - Administering dilation and therapeutic drops into the eyes per your instructions and may instruct patients on the proper protocol for self administration under your **direct** supervision;
 - Ministerial duties under your **general** supervision, including obtaining necessary demographic information, data gathering, preliminary testing, performing prescribed vision and low vision therapy, delivery of eyeglasses, selection of frames and adjustments of frames; and
- **Ancillary personnel shall not alter, or change in any manner, a patient's prescription** without express, written instructions by the doctor.

4725-5-18 Delegation of Duties to Ancillary Personnel

- **An optometrist shall not permit an unlicensed person to perform the following duties in the optometric practice:**
 - Make the determination as to whether a patient may safely and comfortably wear contact lenses and evaluate the physical fit of a contact lens using a biomicroscope or other similar instrument with magnification qualities;
 - **Use a spectacle prescription** or a prescription determined using a lensometer, or its equivalent, **on a pair of spectacles as a basis for designing, manufacturing or duplicating a new contact lens**; and
 - **In any way attempt to exercise professional judgment or exercise professional skills which constitute the practice of optometry.**

4725-5-19 Utilizing Controlled Substances for Self and Family

- Licensee may utilize controlled substances when treating a family member, but only in an ocular emergency situation, which shall be documented in the patient's record.
- Licensee **must have a valid DEA number** to prescribe.
- **Licensee may not self-prescribe or self-administer any controlled substances.**

4725-9-03 Continuing Education (CE) Hours Required

- Each CE study year, **50 hours are required**, where **20 hours must be pharmacological** courses.
- The continuing education reporting must be completed during the biennial licensing period **beginning on the first day of January of each odd-numbered year and ending on the last day of December of each even-numbered year.**

4725-9-03 Continuing Education (CE) Hours Required

- **Pharmacology**
 - 20 hours (REQUIRED)
- Grand rounds/ surgical observation
 - 16 hours (maximum)
- Online
 - No limit
- Combination of practice management / ethics jurisprudence
 - 4 hours (maximum)
- Volunteer
 - Services to indigent / uninsured patients
 - 16 hours (maximum)
- **CE credit is given for teaching or making a presentation.**

4725-9-03 Continuing Education (CE) Hours Required

- **Optometrist Education (OE) Tracker maintains a record of your CE's**, if you subscribe, limited functionality if you don't. ARBO.ORG
- **The VPB office can verify CE hours on OE Tracker.**
- Refer to the **OPTOMETRIST tab on the website** for full details about courses, rules, and CE information.
 - [*Vision.Ohio.gov/Optometrist*](http://Vision.Ohio.gov/Optometrist)

4725-3-09 Continuing Education Hours Required

- The board may waive the CE requirement for any doctor:
 - who is serving on active duty in the armed forces or reserves of the United States to include the National Guard; or
 - who has received an initial certificate of licensure in Ohio.
- Certificate of licensure holders are not required to submit any continuing education credit hours for the first renewal.

4725-25-01 Telehealth Communications

- **"Telehealth" means a health care service delivered to a patient using interactive audio, video, or other telecommunications or electronic technology from a site other than the site where the patient is located.**
- **The scope, nature and standard of care of telehealth services are the same as provided in person by the provider.**

Board Minutes

Excerpt:

- Latisse, (Allergan) has received FDA approval for use to promote eyelash growth. Ohio optometrists may treat *abnormal conditions* of the visual system, so the board has determined the use of Latisse is appropriate for the treatment of hypotrichosis.
 - Diagnosis must be documented in the patient's chart.
 - **Prescribing of Latisse for cosmetic reasons is PROHIBITED.**

Communications

- Annual Reports are placed on the VPB website.
- The quarterly eNewsletter is emailed and on the VPB website.
- Quick Tips are step by step instructions for emailed to licensees.
- Stakeholder emails are sent for important matters only.
- Websites:
 - Ohio Administrative Code – codes.Ohio.gov/oac/
 - Ohio Revised Code – codes.Ohio.gov/orc/
 - Ohio Vision Professionals Board - Vision.Ohio.gov
 - Register of Ohio - RegisterOfOhio.state.oh.us

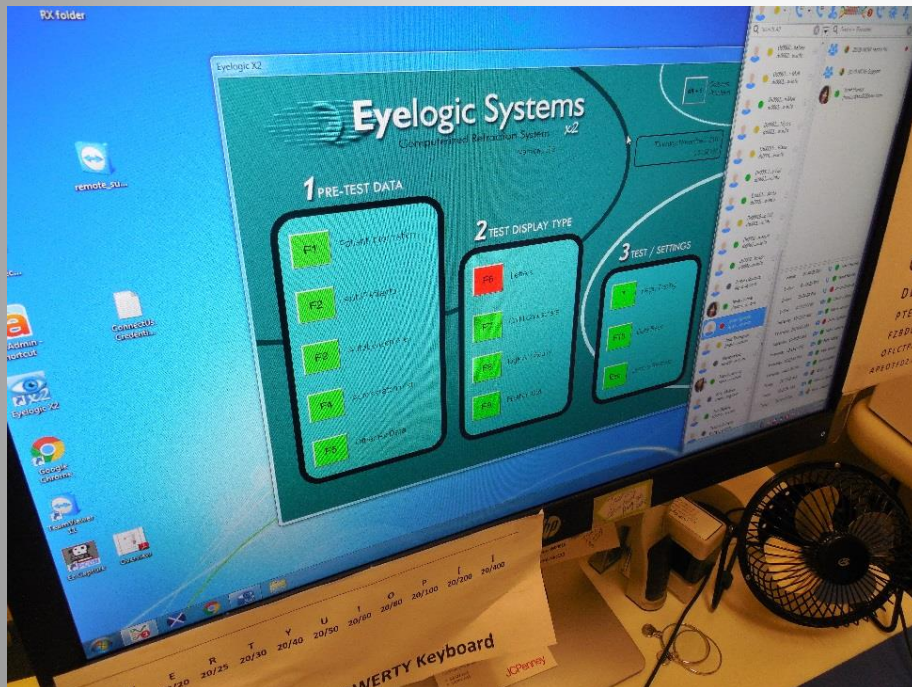
Vision Professionals Board Policies and Best Practices



On-Line Exams and Refractions

- Eye examinations / refractions conducted with electronic devices via the internet:
 - These examinations may not use the minimum equipment required by Ohio law.
 - May not be a comprehensive eye exam by Board standards.
 - The examinations / refractions are not illegal in Ohio, but be very cautious about participating in this type of examination as an Ohio O.D.
 - The Board has no jurisdiction over these online providers but can restrict licensees from participation in these exams.

Online Eye Exam



Licensure of Chemically Impaired Optometrists “One Bite Rule”

- Habitual or excessive use or abuse of drugs, alcohol, or other substances is a serious violation of the Ohio Administrative Code [4725-19-01](#) for all licensees.
- **Board provides a “One Bite Rule” policy, a one time offer only.**
- Licensees experiencing substance abuse issues must seek assistance from the Ohio Physician’s Health, Impaired Practitioner Rules and Safe Haven Program or other board approved program immediately.
- Must maintain uninterrupted sobriety.
- **Must be a self-initiated action**, before any board involvement occurs.
- Must be reported to the board by the licensee. If discovered by the board first, the program is not available to the licensee.

Ohio Physicians Health Program (Not for Profit organization)



A SAFE HAVEN PROGRAM
FOR THE OHIO VISION
PROFESSIONALS BOARD
LICENSEES

Confidential services
are now just a phone
call or email away!



614-841-9690



info@ohiophp.org

ALL CALLS ARE
ANONYMOUS



OhioPHP



Vision Professionals
Board

Ohio Physicians Health Program (Not for Profit organization)



Vision Professionals
Board

IMPORTANT

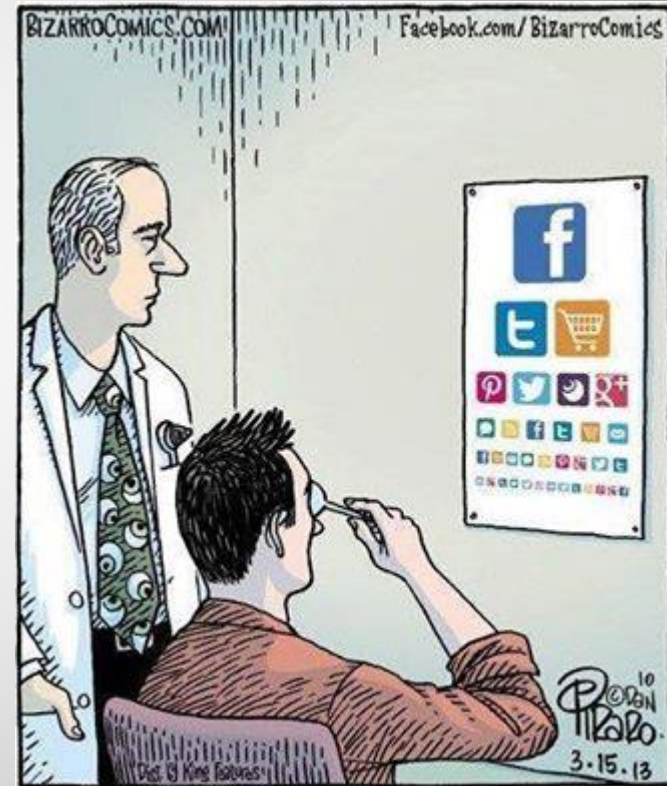
A NEW RESOURCE FOR LICENSEES
OF THE OHIO VISION
PROFESSIONALS BOARD IS NOW
AVAILABLE! PLEASE VISIT
WWW.OHIOPHP.ORG FOR MORE
INFORMATION ON HOW TO
ACCESS CONFIDENTIAL SERVICES
FOR YOUR WELL-BEING.



OhioPHP

Temporary Offices Policy – House Calls

- **No licensed optometrist may travel from door to door to offer optometric services.**
- The optometrist may call on a patient that is non-ambulatory at a residence, if a doctor-patient relationship exists prior to the house call.



Temporary Offices Policy

- Licensee may provide temporary contractual services to non-ambulatory patients at a licensed nursing home.
- **Fees received by the O.D. are through the direct billing of the patient.**
- Licensee may not set up a temporary location at a factory, office building or location of a provider of vision benefits, unless approved by the Board.
- Licensee may provide temporary services at sporting events for the participants of the event during its duration, with prior approval from the Board.
- Licensee may engage in visual acuity testing at temporary locations.
- Licensee may provide contractual eye care services and examinations at a developmental center for patients under the jurisdiction of the Department of Developmental Disabilities.
- Any other activities not specifically listed above should be considered improper and shall require prior board approval.

Prescribing Therapeutic Pharmaceutical Agents

- Prescriptions for therapeutic pharmaceutical agents may be written, telephoned, or electronically submitted.
- Licensees should not discourage patients from requesting a written prescription or urge a patient to fill prescriptions from any establishment.
- Refills may not exceed a twelve-month period.
- **Rx's shall:**
 - be dated by the prescribing O.D. on the issue date;
 - bear the full name, address, phone number and License number of the prescribing O.D.; and
 - bear the full name and address of the person for whom the agent(s) is (are) prescribed.

Prescribing Therapeutic Pharmaceutical Agents

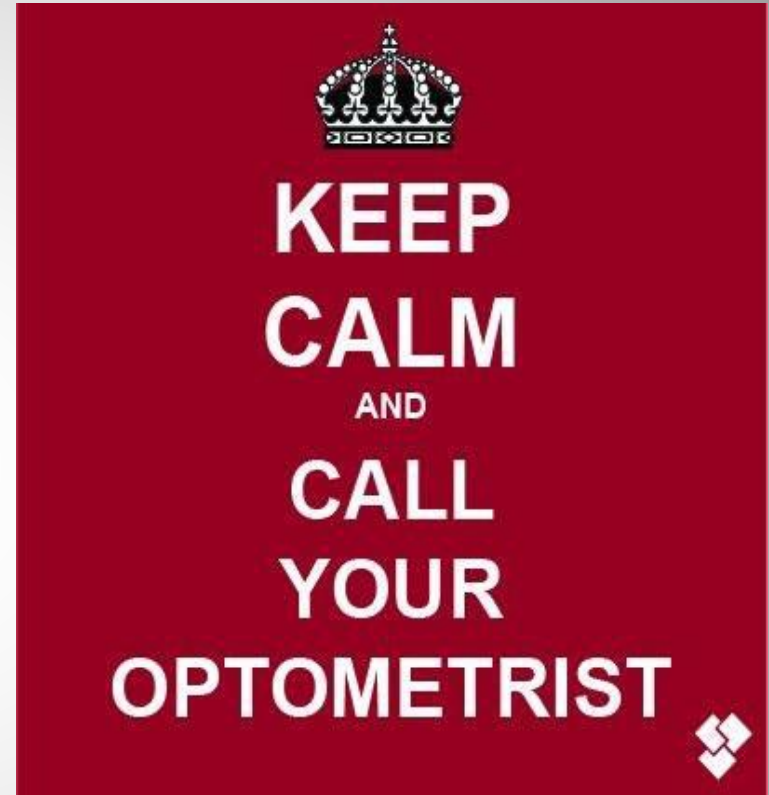
- **A licensed optometrist may prescribe therapeutic pharmaceutical agents for a family member or themselves, provided:**
 - **The agent is within the scope of practice** and has been prescribed for the purposes of:
 - An examination, investigation, diagnosis, or prevention of any disease, injury, or other abnormal condition of the visual system (**no colds or flu**); and
 - The treatment or cure of any disease, injury, or other abnormal condition of the anterior segment of the human eye.
 - The optometrist maintains a patient record for the family member and himself/herself, which includes a record of each prescribed agent.
- A licensed optometrist may personally furnish a therapeutic pharmaceutical agent to a patient if no charge is imposed for the agent, or for furnishing it, and the amount furnished does not exceed a seventy-two-hour supply.
- If the minimum available quantity of the agent is greater than a seventy-two-hour supply, the optometrist may furnish the minimum available quantity.

Complaints

- Ohio law requires that each complaint or allegation of a violation received by the board shall be recorded and assigned a case number.
- Patients who wish to file a complaint are directed to the online complaint form on the VPB or Ohio eLicense website.
eLicense.Ohio.gov/OH_FileComplaint
- Complainants must complete the required form and provide a notarized medical records release.
- **Licensee will be notified of the complaint, be given a chance to respond, and advised of the outcome.**

Common Sources of Complaints

- **Failure to release optical Rx to patient or charging a fee.**
- Disputes regarding fees for professional services.
- Expirations dates for optical Rx's.
- **Chairside manner/ staff personality clashes.**
- Dismissal of patients.
- Failure to release records to patients.
- **Remakes on glasses and / or contacts.**
- Insurance and copay issues.



Inspections and Visits

- The investigator or staff will inspect practices on a random basis.
- Visits are used to enhance communications and to further better relations with the professions.

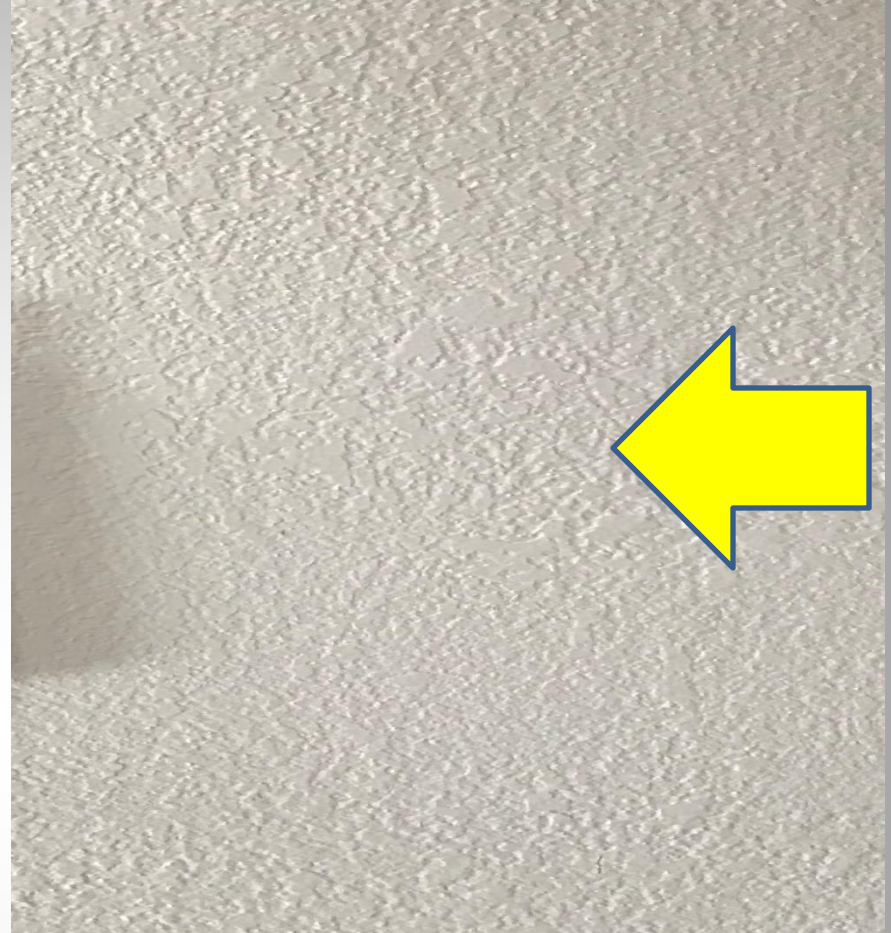


What is the Vision Professionals Board looking for in a visit?

COMPLIANCE



Expired drops found from an inspection.



Inadequate handwashing facilities found in the examination room.

Blank wall- Doctor's name or license certificate not displayed.

All optometrists receive a WARNING letter to avoid future violations or potentially face other board discipline.

- All board actions beyond a warning letter are placed in eLicense under YOUR license, where the public can view.
- In addition, all board actions MUST be entered in the National Practitioners Data Bank (NPDB). NPDB is a database operated by the U.S. Department of Health and Human Services that contain medical malpractice and adverse action reports on healthcare professionals.
www.NPDB.hrsa.gov/

**Be aware of the laws, rules and
your responsibilities.**

IMPORTANT INFORMATION

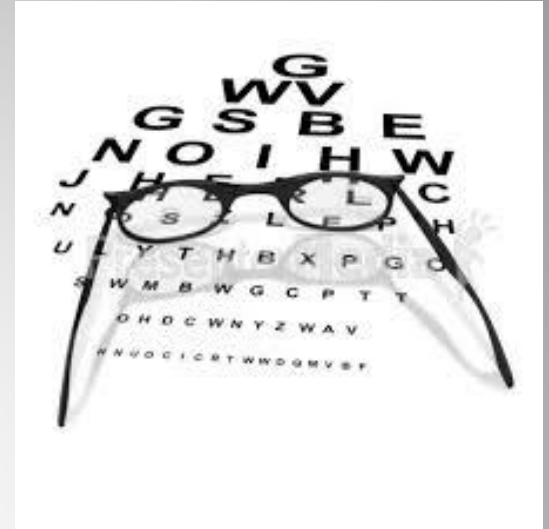
- The CE reporting period must be completed during the biennial licensing period **beginning on the first day of January of each odd-numbered year** and **ending on the last day of December of each even-numbered year**.
- Renew your license beginning **November 1 of each even-numbered year**.
- Keep **EMAIL** and **ADDRESS** information updated
- **Be Honest and Trustworthy**
- Therapeutic certificate will not be issued after April 6, 2023, due to [HB 509](#)
- [Vision.Ohio.gov/Optometrist](#)
- [eLicense.Ohio.gov/](#)
- [codes.Ohio.gov/ORC/4725](#)
- [codes.Ohio.gov/OAC/4725](#)

Phone: 614.466.9709

E-Mail: Board@Vision.Ohio.gov

Conclusion

- Website has a wealth of information.
 - Vision.Ohio.gov
- Thank you for your attention!
- Questions?



State Vision Professionals Board

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TEST TIME

25 questions, need 100%.

OPEN BOOK!!!!!!