



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

**TO:** Marlene Anielski, Executive Director, Ohio Vision Professionals Board

**FROM:** Ethan Wittkorn, Regulatory Policy Advocate

**DATE:** June 12, 2019

**RE:** CSI Review – Fees (4725-3-13, 4725-3-14, 4725-3-15, 4725-3-16, 4725-3-17, 4725-3-18, 4725-3-19, 4725-3-20, 4725-3-21, 4725-3-22, 4725-3-23, 4725-3-24)

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On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Board as provided for in ORC 107.54.

#### Analysis

This Ohio Vision Professionals Board (Board) rule package consists of 12 new rules. This rule package was submitted to the CSI Office on May 17, 2019, and the public comment period was open through May 31, 2019.

This package is part of a consolidation of rules due to legislation that created the Vision Professionals Board to replace the Board of Optometry and Optical Dispensers Board (see HB 49 of the 132<sup>nd</sup> General Assembly). As a result of that consolidation, the rules of the two boards are being condensed and reorganized into a single chapter of the Ohio Administrative Code.

The proposed rules in this package outline the fees charged by the newly created Board. During early stakeholder outreach, the Board notified all licensees, continuing education providers, schools, and occupational associations of the proposed changes via E-mail. The proposed rules also were posted to the Board's website. Based on stakeholder input, the Board made several revisions to the draft rules. During the CSI public comment period, the Board received no additional comments.

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The impacted community is approximately 7,000 licensees of the Board who are subject to the fees outlined in the proposed rules. The fees are authorized and required by ORC sections 4725.34, 4725.48, 4725.51, 4725.52, and 4725.57, and other statutes not mentioned in the Business Impact Analysis. They include a \$20 fee for apprentice registrations, a \$50 fee for optician and ocularist applications, a \$75 fee for optician and ocularist late license renewal, \$5 fee for duplicate license, \$175 fee for therapeutic optometrist application, a \$175 fee for therapeutic or diagnostic optometrist license renewal, a \$130 fee for optometrist license renewal, a \$125 fee for late continuing education and license renewal, and a \$75 fee for reinstatement of a license for therapeutic optometrists. Fees that are left to the Board's discretion include a \$20 fee to change names on optometrist's license, \$10 fee for a replacement wall certificate, a \$175 fee for therapeutic or diagnostic optometrist license renewal, a fee not to exceed \$200 for licensing a qualifying military spouse, and a fee not to exceed \$225 for an ocularist exam. The board maintains that the proposed rules are necessary for competent, well qualified, and properly trained eyecare professionals to ensure the health and safety of Ohioans.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.