

WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION

Form #2 ■

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2002 MAR 20 A 9:35

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WV Board of Optometry TITLE NUMBER: 14

RULE TYPE: Legislative CITE AUTHORITY: Chapter 30-8-5c

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED:

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 8

TITLE OF RULE BEING PROPOSED: Licensure by Endorsement

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON April 22, 2002 AT 4:30 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

WV Board of Optometry

101 Michael Street

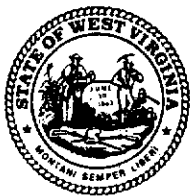
Clarksburg, WV 26301-3937

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Clifton Hume, Clerk
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

SCANNED



West Virginia Board Of Optometry

101 Michael Street

Clarksburg, West Virginia 26301-3937

Phone: (304) 627-2106

Fax: (304) 627-2282

e-mail: wvbdopt@westvirginia.net

March 13, 2002

Secretary of State
State of West Virginia
Building 1, Suite 157K
1900 Kanawha Blvd., East
Charleston, WV 25305-0771

RE: Title 14- Series 8
Licensure by Endorsement
Legislative Rule

Attention: Judy Cooper, Director
Administrative Law

Dear Mrs. Cooper:

The Board has approved Title 14-Series 8-Licensure by Endorsement as a legislative rule. This rule establishes the requirements for Licensure by Endorsement for Doctors of Optometry by the West Virginia Board of Optometry.

Please fax us the cover page for this rule when the comment period begins.

Sincerely,

A handwritten signature in cursive script that reads "Clifton Hyre, O.D.".

Clifton Hyre, O. D.
President

Enclosure
CH/bp

MISSION STATEMENT

To ensure that all applicants for licensure and all Doctors of Optometry currently licensed, practice their profession in a manner that benefits and protects the public, and to ensure that the highest quality optometric eye and vision care is provided in a professional, competent, and ethical manner.

**Summary Of Proposed Rule, 14-8
Licensure by Endorsement**

This rule establishes requirements for licensure by endorsement for Doctors of Optometry by the West Virginia Board of Optometry.

**Circumstances Requiring Rule 14-8
Licensure by Endorsement**

To establish requirements of the West Virginia Board of Optometry for licensure by endorsement for doctors of optometry.

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule.)

DATE: March 13, 2002

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) WV Board of Optometry,

101 Michael Street, Clarksburg, WV 26301-3937 (304)627-2106

LEGISLATIVE RULE TITLE: 14-8 Licensure by Endorsement

1. Authorizing statute(s) citation Chapter 30-8-5c

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

b. What other notice, including advertising, did you give of the hearing?

N/A

c. Date of Public Hearing(s) or Public Comment Period ends:

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

14-8 Licensure by Endorsement

Attached _____ No comments received _____

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

f. Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

Dr. Clifton Hyre, President

WV Board of Optometry

115 Wilton Avenue

Elkins, WV 26241-3260 Phone: (304) 636-9111

g. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all written correspondence regarding this rule: (Please type)

Barbara L. Oalmer, Administrative Secretary

WV Board of Optometry

101 Michael Street

Clarksburg, WV 26301-3937 (304)627-2106

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

b. Date of hearing or comment period:

■
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: 14-8 Licensure by Endorsement

Type of Rule: X Legislative _____ Interpretive Procedural

Agency: West Virginia Board of Optometry

Address: 101 Michael Street

Clarksburg, WV 26301-3937

1. Effect of Proposed rule: None

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	0	0	0	0	0
PERSONAL SERVICES	0	0	0	0	0
CURRENT EXPENSE	0	0	0	0	0
REPAIRS & ALTERATIONS	0	0	0	0	0
EQUIPMENT	0	0	0	0	0
OTHER	0	0	0	0	0

2. Explanation of Above Estimates: None

3. Objectives of These Rules: To set regulations for Licensure by Endorsement for Doctors of Optometry by the West Virginia Board of Optometry.

Rule Title: 14-8 Licensure by Endorsement

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

C. Economic Impact on Citizens/Public at Large.

Date: 3/13/02

Signature of Agency Head or Authorized Representative:

Clifton Hyre, AD

**TITLE 14
LEGISLATIVE RULES
WEST VIRGINIA BOARD OF OPTOMETRY**

**SERIES 8
LICENSURE BY ENDORSEMENT**

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Title 14-8-1. General.

8.1. Scope—This rule establishes requirements of the West Virginia Board of Optometry for licensure by endorsement for doctors of optometry.

8.2. Authority. W. Va. Code 30-8-5c et. seq.

8.3. Filing Date --

8.4. Effective Date --

8.5.1. Applicants for licensure by endorsement must meet the following requirements:

5.1.a. Hold a current optometry license in good standing from another state based upon examination;

5.2.b. Have proof submitted directly from the optometry board in each state where you currently hold a license that it is in good standing and from each state where you have held a license that it was in good standing at the time the license was not renewed;

5.3.c. Pay the fees established by rule.

8.6.1. Unless waived by the Board, all applicants for licensure by endorsement must:

6.1.a. Apply for the highest level of therapeutic licensure in this state;

6.1.b. Be current in the continuing education requirements of their current state(s) of licensure;

6.1.c. Have engaged in the active practice of optometry (or on the faculty of a school or college of optometry or in active federal service) for at least five (5) of the seven (7) years immediately preceding his or her application;

6.1.d. Have not committed any act that would constitute grounds for disciplinary action under this chapter or rule and regulations of the Board;

6.1.e. Have a current copy of your record from the National Practitioner Data Bank (NPDB) and the Healthcare Integrity & Protection Data Bank (HIP-DB) submitted directly to the Board;

6.1.f. Not be subject to any unresolved disciplinary action;

6.1.g. Submit to an oral examination and interview as deemed necessary by the Board before such persons and at a time and place as prescribed by the Board; and

6.1.h. Pass a West Virginia optometry law examination as required by the Board to be given at such times and places as prescribed by the Board.

8.7.1. An applicant will not be considered for licensure by endorsement in the state of West Virginia if he or she has failed the West Virginia Optometry Board Examination within ten (10) years preceding the date on which the application for endorsement is filed.