



**WEST VIRGINIA SECRETARY OF STATE**

**KRIS WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

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Office of West Virginia  
Secretary Of State

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**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL  
RULE**

AGENCY: Optometry TITLE-SERIES: 14-07  
RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: No  
RULE NAME: ADMINISTRATION AND BOARD MEETINGS  
CITE STATUTORY AUTHORITY: W. Va. Code §§30-8 et seq.

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

January 22, 2026

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

**Yes**

**Lesley Mccallister -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 14  
PROCEDURAL RULE  
WEST VIRGINIA BOARD OF OPTOMETRY

SERIES 7  
ADMINISTRATION AND BOARD MEETINGS

**§14-7-1. General.**

1.1. Scope. -- This rule establishes the procedures for the administration and operation of meetings for the West Virginia Board of Optometry.

1.2. Authority. -- W. Va. Code §§30-8 et seq.

1.3. Filing Date. -- December 23, 2025.

1.4. Effective Date. -- January 22, 2026.

**§14-7-2. Administration.**

2.1. At the regular annual meeting, defined as the first meeting after July 1st of each year, the Board shall elect a President and Secretary-Treasurer. Any vacancy in the officers of the Board may be filled at any duly convened meeting of the Board.

2.2. The president has power to appoint committees from the Board membership and the duties of the committees shall be to consider such matters, pertaining to the enforcement of the Optometry Laws of this State and the rules promulgated in accordance with the laws, shall be referred to the committees and they shall make recommendations to the Board. The President shall preside over all meetings of the Board and shall be ex-officio chairman of all committees.

2.3. The Secretary-Treasurer shall approve records of all meetings, receive a monthly report of all income and expenditures of the Board and provide a financial report at the regular annual meeting each year. The Board shall comply with all audit requests from the West Virginia State Auditor and the West Virginia Legislative Auditor's Office.

2.4. Member Compensation—Every member of the Board shall receive \$200.00 per day spent attending sessions of the Board, or its committees, and the travel necessary thereto. Every member shall be similarly reimbursed at the stated per diem amount plus expenses for attending all activities approved by the Board regarding the operation and function of the Board, and for all reasonable and necessary expenses incurred while carrying out the provisions of W. Va. Code §§30-8-1 et seq.

2.5. The Board may employ an Executive Secretary/Director, or any other administrative staff member(s) the Board deems necessary. Board employees shall be empowered and authorized to perform those activities and discharge duties required of the Board and the Secretary-Treasurer of the Board pursuant to West Virginia law and these rules when directed by the Board to do so.

2.6. Office Location: the official office of the Board is, unless otherwise designated by the Board, located at the office of the Executive Secretary/Director.

**§14-7-3. Meetings of the Board.**

3.1. The Board shall hold a regular meeting at least twice per year, and at least once a year an applicant examination for licensure shall be given. The time and place of these meetings and examinations shall be determined by the Board President.

3.2. Special meetings of the Board shall be held upon request of the Board President, the Board Secretary-Treasurer, or a majority of the members of the Board. The meetings may be held in person or by teleconference. All meetings should be properly noticed with the West Virginia Secretary of State and comply with the West Virginia Open Meetings Act.

3.3. Quorums: Before any action can be taken by the Board, a majority of the current members must be in attendance in person or by teleconference at the time set for the meeting of the Board.

3.4. When there are matters of importance that should be reviewed for informational purposes, the President shall have authority to submit matters to the Board electronically in the interim period between meetings.

3.5. The following procedure will be followed to permit guests to address the Board at meetings:

3.5.1. All guests will sign the guest sign-in sheet; if there are written materials for the Board members, the guests will leave them on the sign-in table; guests will not distribute materials to Board members;

3.5.2. At the time designated for speakers to address the Board, guests will be called upon to speak one at a time using the guest sign-in sheet;

3.5.3. Each guest will be allotted five minutes to speak; a member of the Board may move that additional time be allotted to a guest up to a maximum of an additional ten minutes; if the motion is approved by a majority of the Board, the speaker may proceed for the period of time described in the motion;

3.5.4. Questions may be asked by any Board member of any guest speaker; the speaker will be recognized for a response;

3.5.5. The Board will not enter into a discussion or debate with any guest speaker;

3.5.6. The Board President will take the matter(s) presented under advisement, and if appropriate, refer the matter to the Board for review;

3.5.7. If any guest disrupts the meeting so that orderly conduct of the meeting is compromised, the Board President will ask that the guest be removed from the room;

#### **§14-7-4. Application Interview.**

4.1. For all license applicants, the Board shall conduct the application interview with a quorum of the Board being present in person or by teleconference during any meeting of the Board.

4.2. The Board members shall question the applicant on any and all topics necessary to evaluate the candidate's competency to practice optometry.

4.3. A quorum of the Board members present at the meeting may evaluate the applicant's successful completion of the interview by consensus.

4.4. The Board may waive an applicant's interview requirement by consensus.

**§14-7-5. Severability.**

5.1. If any rule or regulation promulgated pursuant to W. Va. Code §§30-8-1, et seq., or the application thereof to any person or circumstance is held unconstitutional or invalid, unconstitutionality or invalidity shall not affect other provisions or applications of these rules and regulations, and to this end the complete rules and regulations of the Board are severable.