The Department of Financial and Professional Regulation is posting these proposed amendments in an effort to make the public aware of possible changes that may have an impact on the profession.

The general public may submit written comments to the Department during the first 45 day public comment period. Any suggested changes will be considered by the Department and the appropriate Board.

These proposed amendments were published in the November 18, 2011 Illinois Register. The 45 day comment period will end January 3, 2012.

Please submit written comments to Craig Cellini as stated in the attached notice.

THESE PROPOSED CHANGES ARE NOT IN EFFECT AT THIS TIME AND THE ADOPTED RULES MAY DIFFER FROM THOSE ORIGINALLY PUBLISHED.

1) **Heading of the Part:** Optometric Practice Act of 1987

2) **Code Citation:** 68 Ill. Adm. Code 1320

3) **Section Number:** Proposed Action:
   - 1320.80 Amendment
   - 1320.90 Amendment
   - 1320.95 Amendment
   - 1320.105 New Section
   - 1320.330 Amendment
   - 1320.400 Amendment
   - 1320.410 Repealed
   - 1320.411 New Section

4) **Statutory Authority:** Implementing the Illinois Optometric Practice Act of 1987 [225 ILCS 80] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

5) **A Complete Description of the Subjects and Issues Involved:** PA 97-170, effective July 22, 2011, added anti-dry eye agents and agents for the treatment of hypotrichosis to be included in the definition of "ocular pharmaceutical agents"; this proposed rulemaking implements its provisions. A new Section 1320.105 is also being added in an attempt to address and clarify long-standing questions regarding the maintenance of optometric records. Section 1320.410 regarding ancillary licenses is being repealed, to be replaced with Section 1320.411, directing
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optometrists to register ancillary locations with the Department. Clarification has also been made in Section 1320.95 regarding minimum equipment requirements for ancillary locations and in Section 1320.80 regarding out of state Council on Optometric Practitioner Education approved CE courses.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local governments.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

    Department of Financial and Professional Regulation
    Attention: Craig Cellini
    320 West Washington, 3rd Floor
    Springfield, IL  62786

    217/785-0813  FAX: 217/557-4451

    All written comments received within 45 days after this issue of the Illinois Register will be considered.

13) Initial Regulatory Flexibility Analysis:

   A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing the services of optometrists.

   B) Reporting, bookkeeping or other procedures required for compliance: None
C) Types of professional skills necessary for compliance: Optometry skills are required for licensure.

14) Regulatory Agenda on which this rulemaking was summarized: July 2011

The full text of the Proposed Amendments begins on the next page:
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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1320
OPTOMETRIC PRACTICE ACT OF 1987

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SUBPART B: DIAGNOSTIC TOPICAL OCULAR PHARMACEUTICALS

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SUBPART C: DIAGNOSTIC AND THERAPEUTIC OCULAR
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Section
1320.300 Definitions and Standards
1320.310 Application for Therapeutic Certification (Repealed)
1320.315 Controlled Substance License Requirement
1320.320 Approved Therapeutic Ocular Training (Repealed)
1320.330 Approved Therapeutic Ocular Pharmaceutical Agents Pursuant to Section 15.1 of
the Act
1320.335 Oral Pharmaceutical Agents
1320.340 Restoration of Therapeutic Certification (Repealed)
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SUBPART D: GENERAL

Section
1320.400 Fees
1320.410 Ancillary Licenses (Repealed)
1320.411 Ancillary Registrations
1320.420 Renewals
1320.430 Granting Variances

AUTHORITY: Optometric Practice Act of 1987 [225 ILCS 80]; Section 2105-15(7) of the Civil
Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 5 Ill. Reg. 5869, effective June 1, 1981; codified at 5 Ill. Reg. 11046;
emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days;
emergency amendment at 6 Ill. Reg. 2273, effective January 29, 1982, for a maximum of 150
days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 10032,
effective August 1, 1982; amended at 9 Ill. Reg. 1092, effective January 11, 1985; amended at 10
Ill. Reg. 7340, effective April 16, 1986; transferred from Chapter I, 68 Ill. Adm. Code 320
(Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1320 (Department
of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg.
1821; emergency amendment at 12 Ill. Reg. 1925, effective January 1, 1988, for a maximum of
150 days; emergency expired May 30, 1988; amended at 12 Ill. Reg. 11447, effective June 27,
1988; amended at 13 Ill. Reg. 6994, effective April 25, 1989; amended at 14 Ill. Reg. 14128,
effective August 15, 1990; amended at 17 Ill. Reg. 18096, effective October 4, 1993; amended at
17 Ill. Reg. 21501, effective December 1, 1993; amended at 19 Ill. Reg. 17150, effective
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SUBPART A: OPTOMETRY

Section 1320.80 Continuing Education

a) Continuing Education Hour Requirements

1) Every renewal applicant shall complete 30 hours of Continuing Education (CE) relevant to the practice of optometry required during each pre-renewal period. A pre-renewal period is the 24 months preceding March 31 in the year of the renewal.

2) A CE hour equals 50 minutes. CE credit may be given only in one hour increments.

3) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.

4) Optometrists licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.

b) Approved Continuing Education

1) All continuing education hours must be earned by verified attendance at or participation in a program that is offered by an approved continuing education sponsor who meets the requirements set forth in subsection (c).

2) As part of the 30 hours of required continuing education, each licensee shall complete during each pre-renewal period at least 12 hours of credit that is certified by an approved optometry college in accordance with Section 1320.20 of this Part, osteopathic or medical college or university
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pursuant to the Medical Practice Act of 1987 [225 ILCS 60], or a pharmacy college pursuant to the Pharmacy Practice Act [225 ILCS 85].

A) Each certified course shall include at least 2 hours of actual course presentation and shall include the successful completion of a post-course evaluation of the attendee's understanding of the course material. No additional credit may be given for the required post-course evaluation.

i) The post-course evaluation may be taken on-site immediately following the course presentation. An examination distributed on-site shall not be removed from the site.

ii) The post-course evaluation may be a correspondence evaluation mailed to the attendee and returned to the provider. The sponsor shall not distribute a post-course evaluation at the site.

iii) The post-course evaluation must consist of a minimum of 5 questions per course hour.

iv) At the sponsor's discretion, the attendee may be allowed one retake of a failed post-course evaluation in order to receive credit as certified continuing education.

B) Licensees who attend a certified education course without completion or passage of a post-course evaluation may apply the actual course hours toward fulfillment of the non-certified continuing education requirements as set forth in subsection (a)(1).

C) Any approved continuing education sponsor may offer, in conjunction with the above-referenced college or university, a certified course. However, certified continuing education shall not be provided, sponsored, co-sponsored or in any way supported or financially underwritten by a CE sponsor or others who may receive patient referrals from optometrists licensed under the Act. Approved optometry programs in subsection (b)(2) are not deemed in violation of this Section. Faculty of an adjunct institution to an approved optometry program may present certified CE on the
primary campus of the approved optometry program under this exception. Nothing in this Section shall prohibit the listing of courses in a professional journal or newsletter or prevent an approved school, college or university from certifying a course.

D) Transcript quality continuing education courses shall be deemed equivalent to the certified courses if they meet the requirements set forth in subsection (b)(2)(A).

E) Continuing education sponsors shall state in their course materials the type of post-course evaluation which will be given and whether the applicant will be allowed to retake the evaluation.

F) Certified continuing education courses shall be courses in which the attendees are in actual attendance. No self instruction or correspondence courses shall be considered certified continuing education courses.

3) Eighteen hours of CE credit may be earned as follows (not accepted for certified CE):

A) A maximum of 12 hours per pre-renewal period for papers prepared and delivered before recognized optometric organizations, papers published in nationally recognized optometric journals, or a chapter in a book of optometry, each appropriately verified.

B) A maximum of 12 hours per pre-renewal period for verified teaching of students at an optometry school approved by the Division, or practicing optometrists in approved CE programs. One hour of teaching at an optometry school approved by the Division is equal to one hour of continuing education.

C) A maximum of 4 hours per pre-renewal period for verified self-instruction or video teleconferencing that is sponsored or co-sponsored by any approved optometry college, institution or national or State optometry association.

D) A maximum of 4 hours per pre-renewal period for courses in practice management that includes business management.
E) A maximum of 2 hours of continuing education in cardiopulmonary resuscitation certified by the American Red Cross, American Heart Association, an Illinois licensed hospital or an approved medical or optometric institution may be earned per pre-renewal period.

4) Continuing education credit hours used to satisfy the CE requirements of another state may be submitted for approval for fulfillment of the CE requirements of the State of Illinois.

5) Credit shall not be given for courses taken in Illinois from unapproved sponsors except for a CPR course in accordance with subsection (b)(3)(E).

c) Continuing Education Sponsors and Programs

1) Sponsor, as used in this Section, shall mean a person, firm, association, corporation, or any other group that has been approved and authorized by the Division upon the recommendation of the Optometric Licensing and Disciplinary Board to coordinate and present continuing education courses or programs.

2) A sponsor shall file a sponsor application, along with the required fee set forth in Section 1320.400(a)(5), that includes:

A) Certification

i) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in this Section;

ii) That the sponsor will be responsible for verifying attendance at each course or program or session thereof utilizing signature sheets or other means of attendance verification and for providing a certificate of completion as set forth in subsection (b);

iii) That, upon request by the Division, the sponsor will submit such evidence as is necessary to establish compliance with this Section;
iv) That each sponsor shall submit to the Division a written notice of a course offering 30 days prior to the course date. The notice shall include the description, location, date and time of the course to be offered;

B) A history and the experience of the sponsor as an educational provider;

C) A copy of a sample program with faculty, course materials and syllabi;

D) The name and address of the contact person responsible for all recordkeeping; and

E) A list of all principals of the organization applying for a sponsor license.

3) Each sponsor shall submit by March 31 of each even numbered year a sponsor application along with the required fee set forth in Section 1320.400(b)(2) of this Part. With the application, the sponsor shall be required to submit to the Division a list of all courses and programs offered in the pre-renewal period, which includes a description, location, date and time the course was offered.

4) All courses and programs shall:

A) Contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of optometry;

B) Provide experiences that contain scientific integrity, relevant subject matter and course materials; and

C) Be developed and presented by persons with education and/or experience in subject matter of the program.

5) The tuition fees charged for programs conducted by approved sponsors shall be reasonable and directly related to the sponsor's actual expense in conducting the programs.
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6) All programs given by approved sponsors shall be open to all licensed optometrists and not be limited to the members of a single organization or group and shall specify the number of CE hours and categories that may be applied toward Illinois CE requirements for licensure renewal.

7) Certificate of Attendance

A) It shall be the responsibility of the sponsor to provide each participant in a program with a certificate of attendance signed by the sponsor. The sponsor's certificate of attendance shall contain:

i) The name, sponsor number and address of the sponsor;

ii) The name of the participant and his/her optometry license number;

iii) A detailed statement of the subject matter;

iv) The number of hours actually attended in each topic;

v) The date of the program;

vi) Whether the course qualifies for certified continuing education.

B) A separate certification of passage or failure of the post-course evaluation shall be issued by the approved certifying institution when the course is for certified CE credit.

C) The sponsor shall maintain these records for not less than 5 years. These records shall include all test materials utilized for certified courses.

8) The sponsor shall be responsible for assuring verified continued attendance at each program. No renewal applicant shall receive CE credit for time not actually spent attending the program.

9) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Division, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall
thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Division receives reasonably satisfactory assurances of compliance with this Section.

d) Continuing Education Earned in Other States

1) If a licensee has earned CE hours in another jurisdiction for which he/she will be requesting credit toward full compliance in Illinois, the applicant shall submit an out of state CE approval form along with a $20 processing fee within 90 days prior to or after the course. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.

2) If a licensee fails to submit an out of state CE approval form within the required 90 days, late approval may be obtained by submitting the application along with the $20 processing fee plus a $50 per hour late fee not to exceed $300. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.

3) The Board has determined that the Council on Optometric Practitioner Education (C.O.P.E.) approved courses are acceptable for out of state continuing education. If a licensee attends an out of state C.O.P.E. approved course, the licensee will not be required to submit the out of state CE approval form and the $20 processing fee. All C.O.P.E. approved certified (tested) courses must contain certification by C.O.P.E. that the course was conducted in compliance with Section 1320.80(b)(2)(C) in order for certified credit to be granted under this Subpart.

e) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with CE requirements set forth in subsection (a).

2) The Division may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance for a period of 5 years.
3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board, at which time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

f) Waiver of CE Requirements/Certification in Cardiopulmonary Resuscitation

1) Any renewal applicant seeking renewal of his/her license without having fully complied with the CE requirements or the certification in Cardiopulmonary Resuscitation (CPR) as required in Section 1320.420 shall file with the Division a renewal application, the renewal fee set forth in Section 1320.400(b)(1), a statement setting forth the facts (including time frames) concerning such non-compliance, and a request for waiver of the CE/CPR requirements on the basis of the facts. If the Division, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted, that good cause has been shown for granting a waiver, the Division shall waive enforcement of the requirements for the renewal period for which the applicant has applied.

2) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the CE/CPR requirements during the applicable pre-renewal period because of:

A) Full time service in the armed forces of the United States of America during a substantial part of such period; or

B) Extreme hardship, which shall be determined on an individual basis by the Board and shall be limited to documentation of:

   i) An incapacitating illness documented by a currently licensed physician,

   ii) A physical inability to travel to the sites of approved programs, or

   iii) Any other similar extenuating circumstances.

3) If an interview with the Board is requested at the time the request for the waiver is filed with the Division, the renewal applicant shall be given at
least 20 days written notice of the date, time and place of the interview by certified mail, return receipt requested.

4) Any renewal applicant who submits a request for waiver pursuant to subsection (f)(1) of this Section shall be deemed to be in good standing until the Division's final decision on the application has been made.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)

Section 1320.90  Minimum Eye Examination

In the absence of good clinical reasons to the contrary as documented in the record, the following minimum examination shall be performed and findings recorded by an optometrist, and he/she shall keep a record for a period of 6 years:

a) Complete case history, including medical conditions.

b) Visual acuity.

1) Monocular.

2) Aided or unaided.

c) External examination, including pupil reactivity.

d) Internal examination (ophthalmoscopic examination) with dilation if indicated.

e) Retinoscopy or equivalent.

f) Subjective refraction to best visual acuity at distance and near.

g) Measurement of binocularity and ocular motility.

h) Color vision screening.

i) Tonometry.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)

Section 1320.95  Minimum Equipment List
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a) Each office in which the practice of optometry is conducted shall contain, in good working condition, the following minimum equipment:

1) a) Ophthalmoscope – Direct and Indirect
2) b) Retinoscope or its equivalent
3) e) Tonometer
4) d) Automated Threshold Visual Field Testing Device
5) e) Color Vision Testing Device
6) f) Keratometer or its equivalent
7) g) Biomicroscope
8) h) Lenses for subjective testing
9) i) Blood Pressure Measuring Device

b) An Automated Threshold Visual Field Testing Device as specified in subsection (a) (4), is not required at an ancillary location where all prospective patients are unable to perform this test and this circumstance is reported in the application for an ancillary registration.

(Source: Amended at 36 Ill. Reg. _______, effective ____________)

Section 1320.105 Recordkeeping

Every licensed optometrist shall keep a record of examinations made and prescriptions issued, which record shall include the names of persons examined and for whom prescriptions were prepared, and that shall be signed by the licensed optometrist and retained by him or her in the office in which the professional service was rendered. [225 ILCS 80/6]

a) Ownership of Records

1) Independent Optometric Practice
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A licensed optometrist shall maintain full and independent responsibility and control over all records including prescriptions relating to the patients. All such records shall remain confidential, except as otherwise provided by law, and shall be maintained by the licensed optometrist in compliance with this Section, Section 6 of the Act, HIPAA and Section 1320.90 of this Part. For purposes of this subsection (a)(1), “maintain full and independent responsibility and control” means that the records shall be maintained by the licensed optometrist and that the optometrist shall not share, delegate or relinquish either possession of the records including prescriptions or his or her responsibility or control over those records with or to any entity that is not itself licensed by the Division.

2) Optometric Practice of an Employee of a Non-Medical Entity Not Licensed by the Division or the Department of Public Health

A) A licensed optometrist shall maintain full and independent responsibility and control over all records including prescriptions relating to the patients examined. All such records shall remain confidential, except as otherwise provided by law, and shall be maintained by the licensed optometrist in compliance with this Section, Section 6 of the Act, HIPAA and Section 1320.90 of this Part.

B) If the optometrist leaves the employ of the non-medical entity, a duplicate copy of his or her patient records including prescriptions may remain with the employer on the condition that a licensed health care professional is named as the custodian for the purpose of keeping the records in compliance with HIPAA and the Act. All such records shall maintain patient confidentiality pursuant to HIPAA.

3) Optometrists Employed by Other Division Licensees

Patient records including prescriptions are the property and responsibility of the examining optometrist, except when the examining optometrist is employed by an optometrist or ophthalmologist. In this circumstance, the patient records are the property and responsibility of the optometrist or ophthalmologist who employs the optometrist, or remain the property and responsibility of the examining optometrist if agreed to by both parties under contract or other written agreement. In all circumstances, records must be available to the original optometrist for continued patient care and
4) **Multidiscipline Group Practice**
The records including prescriptions relating to the patients of a multidisciplinary group of licensed optometry care professionals, or relating to the patients of a partnership or professional association, may be maintained by the group practice, partnership or professional association on behalf of all licensed optometrists employed by the group practice, partnership or professional association. The optometrist may transfer ownership of his or her records including prescriptions to another licensed optometrist or group of optometrists provided that the records are available to the original optometrist for continued patient care and for compliance with statutory and regulatory recordkeeping requirements.

5) **Hospital, Clinic or Nursing Home Facility Practice**
If an optometrist examines or writes a prescription for a patient in a hospital, clinic or nursing home, he or she may elect to utilize the recordkeeping system of the facility, if he or she determines that the system is accurate and secure and the records are available to the optometrist for compliance with statutory and regulatory recordkeeping requirements.

b) **Transfer of Ownership of Records**
Upon the sale of a practice or the disability or death of an optometrist, the records must be transferred to a licensed optometrist or ophthalmologist or a health care facility licensed by the Department of Public Health for compliance with this Section, Section 6 of the Act, HIPAA and Section 1320.90 of this Part. Patients are to be informed of the location of their records unless they are to be maintained at their original location. Copies of records must be made available, within 10 days after the death of an optometrist, to patients upon their request. Another optometrist or ophthalmologist may use these records to meet the patient’s needs until their next regularly scheduled eye exam. Failure to provide records under this Section by a non-licensed individual shall be considered to be a violation under Section 4.5 of the Act and may result in fines or civil penalties provided for in the Act.

c) **Necessity for Having Contract Provisions that Preserve the Optometrist’s Statutory Recordkeeping Requirement**
No agreement, lease or other contract entered into, renewed or extended between an optometrist and any entity that itself is not licensed by the Division as an
optometrist or ophthalmologist or by the Department of Public Health as a health care facility shall contain any provision that:

1) Impedes an optometrist's ability to gain access to his or her professional office or patient records including prescriptions, provided any such agreement, lease or other contract shall contain a provision that establishes reasonable protocol for the optometrist to gain access to the premises during non-business hours for medical emergencies; or

2) Limits, inhibits or prevents an optometrist's ability to communicate with his or her patients at any time.

d) Record Retention

1) All patient records including prescriptions shall be maintained by the examining optometrist at the location of the examination or shall be available at that location for inspection upon reasonable request if stored in a secure off-site location for six years pursuant to Section 1320.90. Records may be maintained on paper or in electronic format, as follows:

   A) If records are maintained electronically, an optometrist shall keep either a duplicate hard-copy record or a back-up unalterable electronic record off-site. If a record request is made, and the off-site location is out of state, the optometrist is required to obtain the records in order to comply with the request. Electronic records must be keyed to record the time and date of any patient record transactions or alterations.

   B) Any patient record that is created or maintained in an electronic format must have the capability of printing a paper record.

2) Failure to keep patient records for the statutory minimum of six years shall constitute "dishonorable or unprofessional conduct" as that phrase is used in Section 24 of the Act, and any such action may subject the licensee to disciplinary action by the Division.

e) Patient Record Requests, Charges and Fees

A copy of patient records shall be provided, upon written request and payment of appropriate fees, to the person examined or his or her designee, in compliance with federal law.
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f) Other Authorized Record Requests
Releasing records under a lawful subpoena in a criminal or civil proceeding, or pursuant to a subpoena issued by the Division, or the Illinois Optometric Licensing and Disciplinary Board, is permissible in accordance with federal law. Document production compliance under a lawful subpoena is mandated by law. If the records sought are maintained at a location other than the optometrist’s office where the subpoena was served, the optometrist is responsible for obtaining and producing the records to comply with the subpoena.

(Source: Added at 36 Ill. Reg. ______, effective ____________)

SUBPART C: DIAGNOSTIC AND THERAPEUTIC OCULAR PHARMACEUTICAL AGENTS

Section 1320.330 Approved Therapeutic Ocular Pharmaceutical Agents Pursuant to Section 15.1 of the Act

a) The following categories of therapeutic ocular pharmaceutical agents are approved for use by licensed optometrists:

1) Anti-Infective Agents
2) Anti-Allergy Agents
3) Anti-Glaucoma Agents (except oral carbonic anhydrase inhibitors, which may be prescribed only in a quantity sufficient to provide treatment for up to 72 hours)
4) Anti-Inflammatory Agents (except oral steroids)
5) Topical Anesthetic Agents
6) Over the Counter Agents
7) Oral Analgesic Agents
8) Mydriatic Reversing Agents
9) Anti-Dry Eye Agents
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10) Agents for the treatment of hypotrichosis

b) Licensed optometrists shall be permitted to use topical anesthetics, mydriatics, cycloplegics and miotics.

c) Oral pharmaceutical agents may be prescribed for a child under 5 years of age only in consultation with a physician licensed to practice medicine in all its branches.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)

SUBPART D: GENERAL

Section 1320.400 Fees

a) Application fees

1) The fee for application for an original license as an optometrist is $500.

2) The fee for application for an ancillary optometric license is $50 per location unless waived in accordance with Section 1320.410(e).

3) Applicants for any examination shall be required to pay, either to the Division or its designated testing service, a fee covering the cost of determining the applicant's eligibility and providing the examination.

4) The fee for application for licensure of a person licensed as an optometrist in another jurisdiction is $500.

5) The fee for a sponsor of continuing education is $500.

6) The fee for an optometry residency one year license shall be $100.

b) Renewal Fees

1) The fee for renewal of an optometrist license is $200 per year.

2) The fee for renewal of an ancillary optometry license is $25 per year for each location unless waived in accordance with Section 1320.410(e).
The fee for renewal as a sponsor of continuing education is $250 per year.

c) General Fees

1) The fee for restoration of a license other than from inactive status is $50 plus payment of all lapsed renewal fees. For the purposes of restoring from inactive status, the Division shall consider that no renewal fees have lapsed during the period of inactive status.

2) The fee for issuance of a duplicate license or for the issuance of a replacement license for a license which has been lost or destroyed is $20.

3) The fee for the issuance of a license with a change of name or address other than during the renewal period is $20.

4) The fee for the certification of a license for any purpose is $20.

5) The fee for a wall certificate showing licensure is the actual cost of producing the license.

6) The fee for a roster of persons licensed under the Act is the actual cost of producing the roster.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)

Section 1320.410 Ancillary Licenses (Repealed)

a) Ancillary license, as used in this Part, shall mean an optometry license that is issued pursuant to Section 7 of the Act to a licensed optometrist who is engaged in the practice of optometry at more than one address.

b) Each ancillary license shall be displayed in accordance with Section 6 of the Act.

c) An ancillary license shall be issued to a licensed optometrist upon submitting a completed application to the Division, on forms provided by the Division, and the required fee set forth in Section 1320.400(a)(2) of this Part. The application shall include the address of the branch office location for which the license will be issued.
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d) An optometrist shall be required to obtain an ancillary license for each additional location and to display the appropriate ancillary licenses at each location. Licensees may examine one new patient at facilities licensed by the Illinois Department of Public Health or their residence per address per month without an ancillary license.

e) Fees may be waived by the Division for an optometrist applying for an ancillary license to substitute for a licensee who has been called to active military duty. Applicants for such an ancillary license shall include a copy of the orders calling the licensee to active duty in addition to any other requirements.

f) Fees shall be waived by the Division for an optometrist applying for an ancillary license to practice as a volunteer for a charitable organization organized under section 501(c)(3) of the U.S. Internal Revenue Code at a location not otherwise licensed for the practice of optometry. All examinations performed under this license shall be done without remuneration to the licensee or the charitable organization and shall comply with Section 1320.100(g).

(Source: Repealed at 36 Ill. Reg. ______, effective _____________)

Section 1320.411 Ancillary Registrations

a) Ancillary registrations, as used in this Part, shall mean registration of a practice location, pursuant to Section 7 of the Act, by a licensed optometrist who is engaged in the practice of optometry at more than one address.

b) An ancillary registration shall be submitted by the licensee on forms provided by the Division for each location in which a licensee practices optometry prior to practicing optometry at that location. The form shall include the address of the branch office location being reported.

c) An optometrist shall submit an ancillary registration for each additional location where he or she practices optometry and shall display a copy of his or her optometry license in a conspicuous place in each office.

d) Each licensee shall maintain a copy of his or her ancillary registration in the office registered and, upon request, shall exhibit this registration and a copy of his or her optometry license to any representative of the Division.
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e) Registration of a location other than where a licensee actually practices optometry shall be considered a violation of the Act.

f) An ancillary registration expires with the expiration of the primary optometry license and a new application for ancillary registration must be submitted to the Division for all locations requiring an ancillary registration.

(Source: Added at 36 Ill. Reg. ______, effective ____________)