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*Bill Analysis*  
Legislative Service Commission

## **H.B. 497**

124th General Assembly  
(As Introduced)

**Reps. Wolpert, McGregor, Otterman, Rhine, Carano, Husted, Seitz, Sullivan, Evans, Schaffer, Fessler, Webster**

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### **BILL SUMMARY**

- Removes a requirement for reciprocity in the licensure of out-of-state optometrists by permitting the State Board of Optometry to issue a license to an out-of-state applicant without regard to whether the other licensing state similarly grants licenses to Ohio optometrists.
- Permits the State Board of Optometry to issue a certificate of licensure, and a therapeutic pharmaceutical agents certificate, to an individual licensed as an optometrist in a Canadian province.
- Specifies that the application fees for the licensure by endorsement of an individual from another state or a Canadian province are non-refundable.

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### **CONTENT AND OPERATION**

#### **Licensure by endorsement**

Current law permits the State Board of Optometry (the "Board") to issue a certificate of licensure and a therapeutic pharmaceutical agents certificate to an individual licensed as an optometrist by another state through an alternative procedure that is distinct from the regular procedure used for initial licensure in this state. The Board may use this alternative procedure only if it determines that both of the following are true about the state of licensure:

(1) The other state has standards for the practice of optometry that are at least as stringent as the standards established by Ohio's Optometry Law (R.C. Chapter 4725.);

(2) The other state similarly grants licenses to practice optometry to individuals who hold certificates of licensure issued by the Board.

The bill removes the second condition listed above. Thus, the Board is not required to determine that the other state reciprocates in the licensing of individuals who hold certificates of licensure issued by the Board. The bill specifies that this new procedure is licensure "by endorsement" of the Board. In addition, the bill applies these reciprocity provisions to individuals who are licensed by Canadian provinces. (Sec. 4725.18(A).)

**Specific requirements for the licensure in Ohio of an individual licensed by another state**

Current law requires that an out-of-state applicant who wishes to receive a certificate and therapeutic pharmaceutical agents certificate in Ohio must meet all of the following conditions:

- (1) Hold a license to practice optometry from the other state that is in good standing, evidenced by a submission of a letter from the licensing agency of the other state;
- (2) Have been actively engaged in the practice of optometry, including the use of therapeutic pharmaceutical agents, for at least three years immediately preceding making an application;
- (3) Pay the application fees for a certificate of licensure and a therapeutic pharmaceutical agents certificate; and
- (4) Submit all transcripts, reports, or other information the Board requires.

In addition, under current law, the Board may require the out-of-state applicant to pass all or part of a licensing examination, if the Board determines that it is necessary. (Sec. 4725.18(B).)

The bill modifies the first criteria listed above by adding the requirement that the letter from the licensing agency in the other state or province must indicate passage of a written entry-level examination at the time of initial licensure (sec. 4725.18(B)(1)).

The bill modifies the third criteria listed above by specifying that the application fees are non-refundable (sec. 4725.18(B)(3)).

In addition, the bill adds three criteria that an out-of-state applicant for licensure by endorsement must satisfy. First, the applicant must meet the qualifications for a therapeutic license as specified in the Optometry Law, except for the passage of an examination (sec. 4725.18(B)(6)). Under current law, in addition to passing an examination, the qualifications for a therapeutic license are that the applicant must (1) be at least 18 years of age, (2) be of good moral

character, (3) have satisfactorily completed a course of study of at least six college years, and (4) have graduated from a school of optometry approved by the Board (sec. 4725.12, not in the bill).

Second, under the bill, the out-of-state applicant must participate in a two-hour instruction session on Ohio laws or pass an Ohio optometry jurisprudence test. Third, the out-of-state applicant must provide a certified statement from all states and provinces in which the applicant is licensed or has been licensed that reports any past or pending actions against the license of the applicant. The statement must include reports of investigations, suspensions, revocations, and consent agreements by that jurisdiction for any cause that is grounds under the Ohio Optometry Law for revocation, suspension, or refusal to issue a license. (Sec. 4725.18(B)(7) and (8).)

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## **HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	02-05-02	p. 1361

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