

# Fiscal Note & Local Impact Statement

122<sup>nd</sup> General Assembly of Ohio

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BILL: H.B. 553 DATE: August 5, 1997  
STATUS: As Introduced SPONSOR: Rep. Coughlin  
LOCAL IMPACT STATEMENT REQUIRED: No — No local cost  
CONTENTS: Eliminate a provision prohibiting a person from taking the optometry licensing examination more than four times.

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## State Fiscal Highlights

STATE FUND	FY 1998	FY 1999	FUTURE YEARS
<b>Occupational Licensing and Regulatory Fund (GSF Fund 4K9)</b>			
Revenues	Potential minimal gain	Potential minimal gain	Potential minimal gain
Expenditures	- 0 -	- 0 -	- 0 -

- Potential minimal increase in revenues for the Optometry Board raised by fees accompanying each application for the licensing examination. The fee for the main exam and application is \$110. The fee for part two (therapeutic pharmaceutical agents certificate) of the examination is \$35. It is estimated that fewer than 20 persons might be affected by the bill.
- The Optometry Board no longer issues the licensing examination. Since the 1980s, a national exam has been used by the Board to satisfy the requirements of section 4724.08 of the Revised Code.

## Local Fiscal Highlights

- No direct fiscal effect on local governments.

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## Detailed Fiscal Analysis

### State Effect

This bill has a potential revenue increase for the State Board of Optometry. Under Sections 4725.08 and 4725.091 of the Revised Code, the Optometry Board (OPT) is required to collect a fee for each application to take the licensing examination. Beginning in the 1980s, the Optometry Board has used the results from the national licensing exam in lieu of administering a state licensing exam. Since a private firm coordinates the testing process, there are no costs associated with the exam for the board. Therefore, even if an individual were to take the exam more than the current limit of four times, the board would incur no additional expenses although they would collect a small amount of additional revenue. For the general exam application, the fee is \$110. In order to obtain a therapeutic pharmaceutical agents certificate, an applicant is required to submit a \$35 application and exam fee to the board.



Under existing conditions, the board must disregard any national examination scores submitted by an applicant if the person has already taken the test four times. Under the bill, the Optometry Board would be permitted to accept passing test scores even if an individual had already taken the test four times.

According to the Optometry Board, the number of people who are affected by the current statute is minimal. During the 1990s, there have been five optometrists who have failed the Therapeutic Management of Ocular Disease (TMOC) exam four times. Although these individuals are still practicing optometrists, they are not allowed to perform the additional services authorized following successful completion of the TMOC. Additionally, in recent years, the board has received the scores from approximately 15 potential applicants who have failed the test at least four times. In many cases, these individuals are simply sending in their scores to the Board without actually submitting an application. Therefore, additional revenue to the 4K9 will be minimal, as the number of persons affected is likely to be 20 or fewer.

**Existing Section 4725.091**

According to the Board, the wording of section 4725.091(C)(2) is incorrect. This section of the code, effective May 19, 1992, covers the issuance of therapeutic pharmaceutical agents certificates. In addition to the standard course work and exam, the therapeutic pharmaceutical certificate requires additional coursework and the passage of the Therapeutic Management of Ocular Disease exam, given by the national board. In the current section of the code, this test is referred to as “part two of the optometry licensing examination administered by the board under section 4725.08 of the Revised Code.” In reality, the state board has never administered this exam.

**Restrictions in Other States**

According to information provided by the American Optometric Association, in addition to Ohio, eight other states have rules or statutes limiting the number of times an individual is permitted to retake the licensure examination. The following table details the various restrictions. In addition to Ohio, Kentucky and Mississippi have statutes limiting the number of times an individual may retake the exam. The other six states have rules outlining the restrictions.

STATE	RESTRICTION
IOWA	Additional education is required prior to an individual taking the exam for the 3 <sup>rd</sup> and subsequent times.
KENTUCKY	An individual may take the exam no more than three times in any five consecutive years.
MAINE	An individual is required to have 100 hours of continuing education prior to retaking the exam following three failures. Additionally, three failures require a wait of two years prior to retaking the exam.
MISSISSIPPI	Two failures require an individual to have continuing education before retaking the exam.
NEVADA	An individual may not take the exam more than three times.
NEW JERSEY	Two failures require an individual to have continuing education before retaking the exam.
NORTH CAROLINA	Three failures require one year of academic study prior to retaking the exam.
RHODE ISLAND	One semester of course work is required following two failures of the national exam. Failure of the state administered clinical exam three times requires board approved continuing education prior to retaking the exam.

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