

Chapter 72. Board of Examiners in Optometry.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 48.011(a)(7) is repealed:

(7) repealed. [IF THE APPLICANT IS, OR HAS EVER BEEN, EMPLOYED AS AN OPTOMETRIST WITH A FEDERAL AGENCY, VERIFICATION OF THE APPLICANT'S CURRENT EMPLOYMENT STATUS AND DISCIPLINARY HISTORY FROM EACH FEDERAL AGENCY WHERE THE APPLICANT IS, OR HAS BEEN, EMPLOYED AS AN OPTOMETRIST]

(Eff. 2/26/89, Register 109; am 3/20/93, Register 125; am 4/14/95, Register 134; am 10/11/95, Register 136; am 4/24/97, Register 142; am 7/20/97, Register 143; am 11/2/2002, Register 164; am 9/17/2003, Register 167; am 4/11/2008, Register 186; am 10/16/2011, Register 200; am 12/2/2012, Register 204; am 11/29/2017, Register 224; am 2/21/2019, Register 229; am ___/___/___, Register ___)

Authority: AS 08.72.050 AS 08.72.150 AS 08.72.170
AS 08.72.110 AS 08.72.160 AS 08.72.272
AS 08.72.140

12 AAC 48.020(c)(5) is repealed:

(5) repealed [IF THE APPLICANT IS, OR HAS EVER BEEN, EMPLOYED AS AN OPTOMETRIST WITH A FEDERAL AGENCY, VERIFICATION OF THE APPLICANT'S CURRENT EMPLOYMENT STATUS AND DISCIPLINARY HISTORY

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FROM EACH FEDERAL AGENCY WHERE THE APPLICANT IS, OR HAS BEEN,
EMPLOYED AS AN OPTOMETRIST]

12 AAC 48.020(c) is amended by adding a new paragraph to read:

(8) verification the applicant completed a nontopical therapeutic pharmaceutical agent injection course of at least seven hours approved by the board, or equivalent training acceptable to the board, taken after graduating from optometry school.

(Eff. 9/17/2003, Register 167; am 4/11/2008, Register 186; am 7/19/2009, Register 191; am 10/16/2011, Register 200; am 12/2/2012, Register 204; am 2/21/2019, Register 229; am ___/___/___, Register ___)

Authority: AS 08.72.050 AS 08.72.170 AS 08.72.272
AS 08.72.110

12 AAC 48.026(c)(7) is repealed:

(7) repealed [IF THE APPLICANT IS, OR HAS EVER BEEN, EMPLOYED AS AN OPTOMETRIST WITH A FEDERAL AGENCY, AFTER THE LICENSE WAS RETIRED UNDER AS 08.72, VERIFICATION OF THE APPLICANT'S CURRENT EMPLOYMENT STATUS AND DISCIPLINARY HISTORY FROM EACH FEDERAL AGENCY WHERE THE APPLICANT IS, OR HAS BEEN, EMPLOYED AS AN OPTOMETRIST]

(Eff. 10/16/2011, Register 200; am 12/2/2012, Register 204; am ___/___/___, Register ___)

Authority: AS 08.72.050 AS 08.72.170 AS 08.72.185
AS 08.72.110 AS 08.72.181 AS 08.72.272
AS 08.72.150

12 AAC 48.200 is amended by adding two new subsections to read:

(e) A licensee who, for good cause, is unable to complete the required continuing education hours for renewal of a license may appeal to the board in writing for an exemption accompanied by a statement explaining the good cause. If an exemption is granted, the board may prescribe an alternative method of complying with the continuing education requirements.

(f) In this section, "good cause" may include

- (1) acute illness; or
- (2) hardship as determined by the board.

(Eff. 6/14/80, Register 74; am 4/22/83, Register 86; am 2/26/89, Register 109; am 3/20/93, Register 125; am 4/24/97, Register 142; am 11/2/2002, Register 164; am 9/17/2003, Register 167; am 10/16/2011, Register 200; am 12/2/2012, Register 204; am 11/29/2017, Register 225; am ____/____/____, Register ____)

Authority: AS 08.72.050 AS 08.72.181

12 AAC 48 is amended by adding a new section to read:

12 AAC 48.370. Telehealth. (a) A person in or outside this state may not practice, attempt to practice, or offer to practice optometry in this state by telehealth without first obtaining a license from the board.

(b) An optometrist issuing a prescription for spectacles or a prescription for contact lenses directly to a patient by telehealth shall

(1) establish an optometrist-patient relationship verbally, in writing, or by conducting an in-person exam before treating the patient;

(2) verify the patient's identity;

(3) maintain confidentiality of records as required by state and federal law;

(4) provide the same scope, nature, and quality of services through telemedicine as would be provided in person;

(5) make a diagnosis at the time of prescribing;

(6) not determine an ophthalmic prescription based solely on an online examination;

(7) provide complete patient records of the telehealth visit in a timely manner in accordance with state and federal law; and

(8) ensure the presence of a telemedicine facilitator who is physically present with the patient for a comprehensive eye examination or vision examination, or when ophthalmic instrumentation is required.

(c) The requirements of AS 08.01.085, AS 08.72, and this chapter apply to the practice of optometry through telehealth.

(d) In this section "telemedicine facilitator" means a person at the patient site trained in the use of telemedicine technology and trained to assist a client in understanding and using the technology at the direction of the licensee. (Eff. __/__/__, Register ____)

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Authority: AS 08.01.085 AS 08.72.110 AS 08.72.278

12 AAC 48.900(c)(6) is repealed:

(6) repealed [IF THE APPLICANT IS, OR HAS EVER BEEN, EMPLOYED AS AN OPTOMETRIST WITH A FEDERAL AGENCY, VERIFICATION OF THE APPLICANT'S CURRENT EMPLOYMENT STATUS AND DISCIPLINARY HISTORY FROM EACH FEDERAL AGENCY WHERE THE APPLICANT IS, OR HAS BEEN, EMPLOYED AS AN OPTOMETRIST.]

(Eff. 2/10/83, Register 85; am 2/26/89, Register 109; am 4/11/2008, Register 186; am 8/7/2021, Register 239; am __/__/__, Register __)

Authority: AS 08.01.100 AS 08.72.050 AS 08.72.181