

Tennessee Board of Dispensing Opticians



Newsletter



2016

A Regulatory Agency of the state of Tennessee

Fall

665 Mainstream Drive, Nashville, TN 37243 <http://tn.gov/health> (615) 741-5735 or 1-800-778-4123.
Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except state and federal holidays) Fax: (615) 532-5369

In conjunction with the purpose and goals of the Department of Health, the Mission of the Bureau of Health Licensure and Regulation is to: Monitor, access and enforce health care laws and regulations; Protect, promote and enhance quality health care for all citizens; Continuously strive to meet the needs of our customers in a respectful and caring manner; Provide quality work-life necessary to attract and retain competent, caring employees; Empower our employees to become entrepreneurs in their jobs; Increase awareness and public confidence in our services; and, Utilize our resources efficiently and cost effectively.

2017 Board Meeting Dates

January 17, 2017
9:00 a.m., Poplar Room

April 25, 2017
9:00 a.m., Iris Room

July 25, 2017
9:00 a.m., Poplar Room

October 24, 2017
9:00 a.m., Poplar room



All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

Live Streaming Video

If you would like to see your board “in action” but can’t attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is: <https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you access the page, go to the board meeting you wish to view and click on that particular link.

LAWS you need to KNOW

Legislative Updates- 2016

Public Chapter 763

Permits licensees whose licenses from a health-related board have expired due to non-payment to obtain reinstatement on the payment of the renewal fee as well as the late payment fee which shall not exceed twice the renewal fee, instead of the current requirement of payment of all past due fees before reinstatement. This act will take effect on July 1, 2016.

Public Chapter 990

This legislation requires an insurer to reimburse and provide coverage for telehealth services provided by a practitioner licensed in Tennessee, regardless of the patient’s location. This act will take effect on January 1, 2017.

Public Chapter 665

This grants immunity from civil liability for charitable organizations or free clinics, and optometrist, ophthalmologist, or dispensing optician providing services at such clinics involved in facilitating the dispensing of previously owned eyeglasses by licensed optometrists, ophthalmologists or dispensing opticians. This became effective March 31, 2016.

Statistical Information

Profession	Total Number	Last 12 Months
Dispensing Opticians	856	47
Apprentices	277	106

Rule Amendments



New rules have been passed recently affecting dispensing opticians and apprentices. A summary of these rules is as follows:

Rule 0480-01-.12 Continuing Education (CE)

Each person licensed by the Board is required to complete nine (9) hours of continuing education during each calendar year which shall include: four (4) hours in spectacles, two (2) hours in contact lenses, one (1) hour in jurisprudence and two (2) hours in optional courses.

1. The one (1) hour jurisprudence credit may be obtained by either:
 - (i) Successfully completing the Board's Continuing Education Jurisprudence Credit examination; or
 - (ii) Attending one (1) morning session of a regularly scheduled meeting of the Board.
2. Licensees who attend one (1) morning session of a regularly scheduled meeting of the Board must sign the sign-in sheet, maintained by the Board's administrator. The licensee must record their name, license number, the time the licensee arrived at the Board meeting, and the time the licensee departed the Board meeting to receive one (1) hour of jurisprudence continuing education credit. The morning session shall be not less than 50 minutes.

A complete version of the rules can be found at:
<http://share.tn.gov/sos/rules/0480/0480.htm>

Dispensing Opticians Website

You may download a copy of the rules, applications and forms, board member list, board meeting schedule, policy statements, and other pertinent information at the board's website:

<http://tennessee.gov/health/topic/DO-board>



Have you moved/changed your name?

Must be reported (in writing or by e-mail) to the board's office within 30 days! Please include the following:

- your name and license number;
- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number; and your signature!
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

A form for a change of address or name change can be found at: <http://tn.gov/health/article/DO-applications>

You may fax your change to the board's administrative office at (615) 532-5369 or mail to: 665 Mainstream Dr., Nashville, TN 37243.

Practitioner Profile

When you notify the board of an address or name change, please remember to update your practitioner profile.

Office of Investigations



The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website at <http://tn.gov/health/article/filing-complaints-against-health-care-professionals> where you may download and print out the complaint form.

Electronic Notification for Licensed Health Professionals

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional “opts in”, the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please visit apps.tn.gov/hlrs/begin.jsp and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided.

For more information, contact the Health Professional Boards office at 615-532-3202 or toll-free at 1-800-778-4123.

Renew Your License Online



Whether you receive a paper renewal form or not, you can still renew your license online. This is faster, more convenient, and you can use a credit card to pay the renewal fees. Just go to <https://apps.tn.gov/hlrs/> to renew your license. You may renew up to 70 days prior to the expiration date.

Click the “Licensing Renewal” link where you can renew your license and update your professional license information. ***Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board’s rules to practice on an expired license.***

-Step 1: Login - Select our board and your profession

and enter your license number.

-Step 2: Update your Information - Change your home and/or office address.

-Step 3: Enter your renewal information - Answer all necessary questions, as if you were completing your hard-copy form.

-Step 4: Payment - Enter your credit card information through the secure site and choose “submit”.

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department’s web site within two business days.

Continuing Education Requirements

The board’s rule regarding continuing education requires all dispensing opticians to complete eight hours of continuing education courses each calendar year. Four hours must be in spectacles; two hours in contact lens, not to exceed four hours; two hours optional; and one hour of jurisprudence. 2 hours may come from multi-media – online, video conferences and/or video web seminars. The jurisprudence exam can be found at: <http://tn.gov/health/article/DO-coedu>

NEW 2016 Lapsed License Policy

The Board of Dispensing Opticians (“Board”) recognizes that an individual may inadvertently allow his/her license to expire. However, applicable law prohibits an individual from working as a dispensing optician unless he/she has an active license. While the Board does not condone an individual working on an expired license, the Board recognizes that these inadvertent lapses can occur. As such, the Board has adopted the following procedures for reinstatement of an expired license.

1. Immediately upon recognition that his/her license has expired, the individual must cease practicing and contact the Board's administrative office to request a reinstatement application.

2. Upon receipt of the reinstatement application, the individual is to complete the application in its entirety, providing a detailed work history since the license expiration date. The application is to be signed, notarized, and returned to the Board's administrative office along with any additional information and all fees specified in the instructions. The individual must submit proof of documentation of continuing education requirements taken within the previous twelve (12) months.

3. Upon receipt of a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, the Board's administrator may reinstate a license which has been in an expired status for less than ninety (90) calendar days. Although the Board and administrative staff recognize the applicant's urgent interest in having his or her license reinstated, preferential treatment will not be given to these applicants. All applications are reviewed in the order in which they are received.

4. If the work history reflects that the individual has practiced in excess of ninety (90) calendar days, but less than six (6) months on an expired license, the Board will present to the licensee an Agreed Citation which specifies payment of a fine in the amount of \$100 per month for every month in which the individual has worked at least one day beyond the ninety (90) calendar day grace period. The individual's license will not be reinstated unless and until the Agreed Citation is executed by the licensee and payment of the fine remitted to the Board's administrative office.

- A. The licensee shall be notified that all Agreed Citations prepared in accordance with this policy shall be reportable on the Department of Health's website, its disciplinary action report issued in the month the action is taken, and to all appropriate federal databanks including the National Practitioner Data Bank.
- B. This remedy is only available to those dispensing opticians who have practiced on a lapsed license for less than six (6) months from the date the license went into expired status.

5. If the licensee refuses to execute the Agreed Citation and/or remit the civil penalty described therein within sixty (60) days of the date the Agreed Citation is sent to the licensee, or if the licensee practiced on a lapsed license for six (6) months or longer, the licensee shall be referred to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be:

- A. A formal and reportable Reprimand on the license;
- B. Assessment of civil penalties for a minimum of \$200 per month for every month in which the individual has worked at least one day beyond the ninety (90) calendar day grace period;
- C. Assessment of costs associated with investigating and prosecuting the matter; and
- D. Any and all other remedies the Board deems appropriate.

6. In the event the matter is referred to the Office of Investigations and Office of General Counsel for formal disciplinary action, the Board's administrative office shall be permitted to reinstate those applicants for whom they have received a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, subject to further action on the license as described in paragraph five (5) above. Though the Board's administrator may reinstate such a license upon approval from the Board's consultant, preferential treatment will not be given to these applicants. These applications will be reviewed in the order in which they are received. For those applicants who have declined an Agreed Citation, their application will be deemed received sixty (60) days from the date the Agreed Citation was sent.

Discipline for lapsed licenses is reportable to the national databanks as well as the Department's Disciplinary Action report and will be noted on the practitioner's licensure profile.

**To Contact This Board Call:
(615) 741-5735 local or (800) 778-4123 nationwide
or write to:**

**Tennessee Board of Dispensing Opticians
665 Mainstream Drive
Nashville, TN 37243
Or visit the board's website at:
<http://tn.gov/health/topic/DO-board>**

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