

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Division of Health and Related Boards and Commissions - State Board of Optometry

Department Arkansas Department of Health

Contact Suzette Weast E-mail adh.optometryboard@arkansas.gov Phone 501-534-6139

Statutory Authority for Promulgating Rules ACA 17-101(b)

Rule Title: State Board of Optometry Rule - Chapter 1 Article IV

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

Date

Nov. 5, 6, & 7, 2023

12/05/2023

02/15/2024

02/15/2024

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Suzette Weast

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02/21/2024

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Suzette Weast  
Signature

501-534-6139

suzette.weast@arkansas.gov

Phone Number

E-mail Address

Executive Director

Title

02/21/2024

Date

## **B. Licensure for Uniformed Service Members**

### **Section 1 - Definitions:**

A. As used in this chapter, “uniformed service veteran” means a former member of the United States Uniformed Services discharged under circumstances other than dishonorable.

B. As used in this chapter, “automatic licensure” means granting a license to practice optometry without an individual having met occupational licensure requirements provided under the Arkansas Code or by other provisions in these rules.

C. As used in this chapter, “uniformed service member” means an active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard; an active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or an active or reserve component member of the United States Commissioned Corps of the Public Health Service.

### **Section 2 - Licensure:**

A. Pursuant to Ark. Code Ann. §17-4-101 *et seq*, the shall allow the following individuals to secure employment with automatic licensure if the person is a holder in good standing of an optometry license with a similar scope of practice issued by another state, territory, or district of the United States and the person pays the licensure fee in Article I, Chapter IV, Section 2 :

- (1) A uniformed member stationed in the State of Arkansas
- (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
- (3) The spouse of:
  - (a) A person under A. 1. or 2. above;
  - (b) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; or
  - (c) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

B. When considering an application for full licensure, certification, or permitting for a uniformed service member stationed in the State of Arkansas or a uniformed service veteran who resides in or establishes residency in the State of Arkansas, the Arkansas State Board of Optometry:

- (1) Shall consider whether or not the applicant's uniformed service education, training, national certification, service-issued credential and experience in the area of licensure, certification, or permitting is substantially similar to relevant and applicable to licensure, certification, or permitting; and
- (2) Shall accept the applicant's relevant and applicable uniformed service education, training, national certification, service-issued credential, and experience in the area of licensure, certification, or permitting in lieu of experience or education required for licensure, certification, or permitting.

C. A license required to enable the holder to lawfully engage in a profession, trade, or employment in this state held by a uniformed service member deployed outside the State of Arkansas or his or her spouse shall not expire until one hundred eighty (180) days following the uniformed service member's or spouse's return from deployment.

D. Continuing Education

- (1) The Board shall exempt from continuing education required as part of licensure, certification, or permitting for a profession, trade, or employment in this state for a deployed uniform service member or spouse until one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.
- (2) Any uniformed service member or spouse exercising the exemption under this subsection shall provide evidence of completion of continuing education before the Board renews his or her license, certificate, or permit or issues a subsequent license, certificate, or permit.