

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC State Board of Examiners in Optometry

RULE CITATION: 21 NCAC 42B .0107

**DEADLINE FOR RECEIPT: June 6, 2023**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*In Paragraph (a), it is unclear what "evidence" is. The Board should state clearly what documentation is required to be submitted.*

*In Paragraph (a), what is a "passing score"? Is the passing score set by the NBOE? It appears that 21 NCAC 42B .0110 is only applicable to Rule .0108 examinations.*

*In Paragraph (a) (1) & (2), the applicant is only required to achieve passing scores if the examination is "offered at the time the applicant graduated from an accredited school". Does the Board mean during the calendar year of post-graduation?*

*In Paragraph (b), consider striking "by the National Board" as this appears to be unnecessary. Consider "The applicant shall authorize the NBOE to release his or her NBOE score report to the Board" ... (upon the Board's request, or at the time of application for licensure).*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee  
Commission Counsel

Date submitted to agency: May 22, 2023

1 21 NCAC 42B .0107 is adopted as published in 37:18 NCR 1902-1903 as follows:

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3 **21 NCAC 42B .0107 NATIONAL BOARD EXAMINATIONS**

4 (a) Each applicant must submit evidence of having achieved a passing score on:

- 5 (1) Parts I, II, and III of the National Board of Examiners in Optometry (NBEO) Examinations if offered  
6 at the time the applicant graduated from an accredited school of optometry;  
7 (2) NBEO's Treatment and Management of Ocular Disease Examination if offered at the time the  
8 applicant graduated from an accredited school of optometry; and,  
9 (3) NBEO's Injection Skills Examination, reached the recommended levels of acceptable performance  
10 on the National Board examinations given by the National Board of Examiners in Optometry on or  
11 after the April 1978 administration in one of the following formats and under the following  
12 conditions prior to Board approval of his or her application to take the clinical practicum  
13 examination administered by the Board.

14 (b) The applicant shall authorize the release of his or her official NBEO score report by the National Board to the  
15 Board prior to the approval by the Board of his or her application to take the North Carolina clinical practicum  
16 examination.

- 17 ~~(1) April 1978 through August 1986 administrations: passing scores on Parts I, IIA, and IIB, with~~  
18 ~~scores of not less than 75 in Section 7 (Pathology) and Section 9 (Pharmacology) on the Part IIB~~  
19 ~~examination, and a score of not less than 75 on the National Board's Treatment and Management of~~  
20 ~~Ocular Disease: (TMOD) examination.~~  
21 ~~(2) April 1987 through August 1992 administrations: passing scores on the Part I Basic Science (BS)~~  
22 ~~examination and Part II Clinical Science (CS) examination of the National Board, with scores of not~~  
23 ~~less than 75 on the Ocular Disease/Trauma and Clinical Pharmacology sections of the Part II CS~~  
24 ~~examination, and a score of not less than 75 on the TMOD examination.~~  
25 ~~(3) April 1993 through December 2008 administrations: passing score on the Part I BS Examination of~~  
26 ~~the National Board.~~  
27 ~~(4) April 1993 through April 2009 administrations: passing score on the Part II CS Examination of the~~  
28 ~~National Board, with a score of not less than 75 on the Ocular Disease/Trauma component within~~  
29 ~~the CS examination, and a score of not less than 75 on either the TMOD component within the CS~~  
30 ~~examination, or on the equivalent stand-alone TMOD examination.~~  
31 ~~(5) March 2009 administrations through November 2009 administrations: passing score on Part I~~  
32 ~~Applied Basic Science (ABS) examination of the National Board.~~  
33 ~~(6) December 2009 administrations through February 2010 administrations: passing score on Part II~~  
34 ~~Patient Assessment and Management (PAM) examination of the National Board, with a score of not~~  
35 ~~less than 75 on the Disease/Trauma component within the PAM examination, and a score of not less~~  
36 ~~than 75 on the TMOD component within the PAM.~~

1 ~~(7) — March 2010 administrations through February 2014 administrations: passing score on the Part III~~  
2 ~~Clinical Skills Examination (CSE) of the National Board.~~

3 ~~(8) — June 1, 2014 administrations through March 2015 administrations: passing score on Part III~~  
4 ~~Injection Skills Examination (ISE) of the National Board.~~

5 ~~(9) — Beginning with March 2015 administrations: all applicants must have a passing score on Part III~~  
6 ~~CSE with a score of not less than 75 on the Skills of gonioscopy, binocular indirect ophthalmoscopy~~  
7 ~~and slit lamp biomicroscopy, and a passing score on Part III ISE of the National Board.~~

8 ~~(b) For candidates with passing scores on at least one National Board examination part under different formats and~~  
9 ~~time periods described in Subparagraphs (a)(1), (a)(2), (a)(3), (a)(4), and (a)(5) of this Rule, the following equivalences~~  
10 ~~shall apply:~~

11 ~~(1) — Part I and IIA is the equivalent of BS;~~

12 ~~(2) — Part IIB is the equivalent of CS without the inclusion of TMOD;~~

13 ~~(3) — Part I ABS is the equivalent of Part I BS; and~~

14 ~~(4) — Part II PAM is the equivalent of Part II CS.~~

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16 *History Note: Authority G.S. 90-117.5; 90-118;*

17 *Eff. February 1, 1976;*

18 *Eff. July 1, 2023;*

19 *Readopted Eff. May 30, 1978;*

20 *Amended Eff. June 1, 2014; April 1, 2011; July 1, 1998; May 1, 1995; April 1, 1993; June 1, 1989;*  
21 *September 30, 1981;*

22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23,*  
23 *2015.*