

**REQUEST FOR § 150B-21.10 CHANGES**

AGENCY: Board of Optometry Examiners

RULE CITATION: 21 NCAC 42B .0304

**DEADLINE FOR RECEIPT: Thursday, August 10, 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:

*“Each” and “such” should not be used if “a”, “an”, or “the” can be used with the same meaning or if the word can be omitted. These appear on lines 5 and 9.*

*This rule may have more clarity if it were structured like:*

*(a) To apply for license renewal, the licensee shall complete the application that is available through the portal on the Board’s website. The application shall be made available before November 15 of the year proceeding the date on which the application and fees are to be due.*

*(b) The licensee shall include the following on his or her application:*

- (1) the licensee's full name;*
- (2) the serial number of his or her license;*
- (3) the addresses of locations in which he or she practices, which shall include the county of the locations;*
- (4) the licensee’s contact information; and*
- (5) questions about events or other facts which could impact his or her maintenance of licensure.*

*For the last Subparagraph above (hypothetically, (b)(5)), what does “questions about events or other facts which could impact his or her maintenance of licensure” mean? This is incredibly vague. This needs to be better defined or deleted.*

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke  
Commission Counsel

Date submitted to agency: August 4, 2023

1 21 NCAC 42B .0304 is adopted as published in 37:20 NCR 2029-2030 as follows:

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3 **21 NCAC 42B .0304 APPLICATION FOR LICENSE RENEWAL**

4 The application for license renewal shall show the licensee's full name, the serial number of his or her license, the  
5 address of each location in which he or she practices, the county in which each such practice is located, licensee's  
6 contact information, and questions about events or other facts which could impact his or her maintenance of licensure.  
7 ~~whether the licensee has been certified to prescribe and use pharmaceutical agents.~~ The application shall be available  
8 through the licensee's portal on the Board's website ~~mailed to each licensed optometrist at his address of record~~ on or  
9 before November 15 of each year preceding the date on which the application and the fees are due.

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11 *History Note: Authority G.S. 90-117.5; 90-118.10;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. May 30, 1978;*

14 *Amended Eff. June 1, 1989; September 30, 1981;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23,*  
16 *2015.*

17 *Amended Eff. August 1, 2023*

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