

ALABAMA BOARD OF OPTOMETRY
ADMINISTRATIVE CODECHAPTER 630-X-7
CONTINUING EDUCATION

TABLE OF CONTENTS

630-X-7-.01	Purpose Of Regulation
630-X-7-.02	Study Compliance Year
630-X-7-.03	Hours Required
630-X-7-.04	Required Courses Of Study
630-X-7-.05	Study Time Requirements
630-X-7-.06	Approval Of Courses
630-X-7-.07	Records Of Attendance
630-X-7-.08	Certification Of Completion Of Continuing Education Courses
630-X-7-.09	Falsification Of Forms
630-X-7-.10	Verification/Audit Of Continuing Education Requirements
630-X-7-.11	Disapproval Of Continuing Education Requirements
630-X-7-.12	Hardship
630-X-7-.13	Failure To Comply
630-X-7-.14	Reinstatement After Suspension For Noncompliance With Continuing Education Requirements

630-X-7-.01 Purpose Of Regulation.

The purpose of this regulation is to implement the requirement of continuing education as a prerequisite for renewal of license.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.02 Study Compliance Year.

The study compliance year shall be the twelve-month period from October 1 to September 30, immediately preceding the year of licensure. All study hours shall be obtained during that time period except as otherwise provided for in Sections 630-X-7-.05 and 630-X-7-.14 of this chapter.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed August 27, 1993; effective October 1, 1993.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.03 Hours Required.

For the study compliance year, 14 hours of continuing education, shall be required for re-licensure the following fiscal year. However, for licensees approved by the Board to use pharmaceutical agents in the treatment of disease of the eye and its adjacent structures, 20 hours of continuing education, of which one-half must be in subjects relating to the diagnosis, treatment, and/or management of disease of the eye and its adjacent structures shall be required for re-licensure the following fiscal year. Changes in study requirements may be made by the Board and in the event of a change, each licensed optometrist shall be notified of the changed requirements on or before November 1 of the study compliance year for which the change is effective. Completion of the study requirements for each study compliance year shall qualify the applicant for license renewal for the following calendar year, if the applicant meets all other requirements.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed August 28, 1995; effective October 2, 1995. **Amended:** Filed January 30, 2007; effective February 6, 2007. **Amended:** Filed February 16, 2008; effective February 20, 2008.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.04 Required Courses Of Study.

Courses of study which will be approved by the Board are those which enhance the professional skill in and knowledge of optometry. Study courses in practice management areas will be accepted for re-licensure up to a maximum of 3 hours, and distance based study courses will be accepted for re-licensure up to a maximum of 3 hours. For credit, courses must be approved either by an officer of the Board or by a majority of board members in attendance at any scheduled meeting of the Board. Course approval may be decided at such time as application for renewal of licenses is submitted or at any time prior upon request of a licensee or course sponsor.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed: August 27, 1993; effective October 1, 1993. **Amended:** Filed November 6, 1998; effective December 11, 1998. **Amended:** Filed January 30, 2007; effective February 6, 2007. **Amended:** Filed January 16, 2008; effective February 20, 2008.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990

630-X-7-.05 Study Time Requirements.

Credit hours for study courses approved by the Board shall be measured in clock hours and shall be equal to the time length of the course rounded to the nearest one-half hour.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed: August 27, 1993; effective October 1, 1993. **Repealed and Replaced with New Rule:** Filed August 28, 1995; effective October 2, 1995. **Amended:** Filed January 30, 2007; effective February 6, 2007. **Amended:** Filed January 16, 2008; effective February 20, 2008.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.06 Approval Of Courses.

Application for approval may be submitted either by a licensee or by the course sponsor. The Sponsor of a continuing education course must apply for, and receive, approval before the course is given. A continuing education course previously approved by the Council on Optometric Practitioner Education (ACOPE®), or by any other organization recognized for such purpose by Board resolution, does not require separate approval from the Board. A licensee who takes an unapproved continuing education course will bear the burden of establishing that the course satisfied all criteria for Board approval at the time the course was taken. Application for approval of courses shall be in writing and shall set out the course title, brief description of the course content, name of the course sponsor, name(s) of the lecturer(s) and time length of the course. Further information shall be furnished by the applicant upon request of the Board. Course approval may be given by any officer of the board, by a majority of the board members present at any scheduled meeting of the board, or by the executive director of the board. Only courses of study so approved will be credited toward continuing education requirements. Each sponsor or licensee requesting approval of a course of study will be notified of Board action in connection therewith, and if the

Board disapproves the application, the sponsor or licensee, upon request in writing, will be given an opportunity to appear before the Board on behalf of the application.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed August 27, 1993; effective October 1, 1993. **Amended:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.07 Records Of Attendance.

Records of attendance at approved continuing education courses shall be maintained by each licensed optometrist on Form CE-1, a copy of which is attached hereto as Appendix A. The course and the number of hours must be listed and it must be signed by a representative of the sponsor and by the optometrist certifying attendance. Other forms judged by the Board to be essentially the same as Form CE-1 may be accepted in lieu of Form CE-1. Each licensee is required to maintain all CE-1 forms applicable to a study compliance year for thirty-six (36) months following the end of said study compliance year.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.08 Certification Of Completion Of Continuing Education Courses.

At the time of license renewal, the licensee shall certify in the manner specified by the board that all continuing education requirements have been completed.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed August 27, 1993; effective October 1, 1993. **Repealed and New Rule:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.09 Falsification Of Forms.

Falsification of an attendance form (CE-1), or of any application submission, by a sponsor shall be grounds for the Board=s withdrawing and/or denying approval of any or all courses sponsored by said sponsor in connection with any future presentation of said courses. Falsification of a Form CE-1 by a licensee shall be grounds for the Board to refuse to approve the continuing education requirements for that licensee for the study compliance year in question and for disciplinary action as provided by law.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.10 Verification/Audit Of Continuing Education Requirements.

At the request of the Board for verification and/or audit purposes, a licensee shall produce the CE-1 forms maintained in accordance with the requirements of 630-X-7-.07. Failure to have maintained said forms or to produce same upon request of the Board shall be grounds for the Board to find that the licensee has failed to satisfy the continuing education requirements for the study compliance year in question. In addition to verifications and audits based on complaints, reports, or other reasonable suspicions of noncompliance, the secretary-treasurer will annually audit a number of licensees selected at random to assure that continuing education requirements have been met.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990.

630-X-7-.11 Disapproval Of Continuing Education Requirements.

If the Board finds that the licensee has not satisfied the continuing education requirements for a study compliance year, the

licensee may, upon request in writing, appear before the Board to challenge said finding.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Repealed and New Rule:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990. Previous Rule 630-X-7-.11 - Approval Of Continuing Education Requirements was repealed and Rule 630-X-7-.12 was renumbered to 630-X-7-.11 as per certification filed January 30, 2007; effective February 6, 2007

630-X-7-.12 Hardship.

In cases of hardship, or for other good and sufficient reasons, the Board may, in its discretion and upon written request from a licensee, excuse said licensee from the continuing education requirements for license renewal. In such an event, the reasons for such excuse will be set out in detail on the minutes of the meeting of the Board at which such action is taken.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended (Rule Number Only):** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule (same title) filed September 13, 1982.

Repealed: Filed July 9, 1990. Previous rule 630-X-7-.13 was renumbered to .12 as per certification filed January 30, 2007; effective February 6, 2007.

630-X-7-.13 Failure To Comply.

Continuing education requirements shall be completed between October 1 and September 30 of each fiscal year prior to the time for license renewal for the next fiscal year. If a licensee fails to certify compliance with requirements for said fiscal (study compliance) year on or before December 1, the secretary-treasurer shall notify such licensee by certified mail, return receipt requested addressed to the licensee's last address of record that said certification has not been received and that unless such is received on or before the first day of January, said licensee's license and license certificate shall be automatically suspended. Between October 1 and December 31 of each year, the licensee shall be permitted to complete continuing education requirements which he or she has failed to complete prior to the end of the fiscal year on September 30. Failure by licensee to certify to the Board compliance with continuing education requirements on or before January 1 shall result in the automatic suspension of said

licensee's license and that individual may not practice optometry in any form in the state of Alabama until said licensee is reinstated as set out below.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §§34-22-22, 34-22-23(14), 41-22-19.

History: Filed July 9, 1990. **Amended:** Filed August 28, 1995; effective October 2, 1995. **Amended:** Filed January 30, 2007; effective February 6, 2007.

Ed. Note: Previous rule 630-X-7-.14 was renumbered to .13 as per certification filed January 30, 2007; effective February 6, 2007.

**630-X-7-.14 Reinstatement After Suspension For Noncompliance
With Continuing Education Requirements.**

A license and/or license certificate suspended for failure to comply with continuing education requirements shall be reinstated only upon the provision of satisfactory evidence to the Board, in the form of proper CE-1 forms, that the continuing education requirements for the one fiscal year next preceding the proposed reinstatement shall have been satisfied and upon payment of all fees required to be paid under this chapter. Said fees shall include, but not necessarily be limited to, all accrued annual registration fees plus a penalty equal to the maximum allowed by this chapter.

Author: Dr. Larry Carter

Statutory Authority: Code of Ala. 1975, §34-22-22.

History: Filed July 9, 1990. **Amended:** Filed August 28, 1995; effective October 2, 1995. **Amended:** Filed January 30, 2007; effective February 6, 2007.

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