



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 105-20 – Regulations Governing the Practice of Optometry
Department of Health Professions
April 17, 2013

Summary of the Proposed Amendments to Regulation

The Board of Optometry proposes to: 1) clarify that an applicant who is or was licensed in another state but who does not meet the active practice requirement for endorsement may apply by examination, 2) allow approval of an applicant whose license has lapsed in another state provided he is eligible for reinstatement and has one current license, 3) allow an applicant who took the examination more than five years ago to qualify by continuing education rather than retaking the examination, 4) accept the examination required in another state at the time of initial licensure for an applicant by endorsement rather than requiring a “comparable” examination, and 5) revise renewal language to allow for electronic submissions.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The proposed amendments reduce barriers to licensure, especially for applicants who have been licensed in other states. A clearer differentiation between licensure by examination and licensure by endorsement will enable applicants to navigate the process more easily. By retaining requirements relating to evidence of competency and ethical practice, the Board continues to protect the public while making it less burdensome to come to Virginia to establish an optometric practice.

Businesses and Entities Affected

The Board estimated that there are 3-4 persons per year who apply for licensure by endorsement who have not taken the national examination. There are currently 1420 licensed

optometrists with TPA certification and 151 licensed optometrists without TPA. There are 479 optometry offices in the Commonwealth.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

By reducing barriers to licensure, the proposed amendments may moderately increase the number of practicing optometrists in the Commonwealth.

Effects on the Use and Value of Private Property

By reducing barriers to licensure, the proposed amendments reduce costs for some optometrists.

Small Businesses: Costs and Other Effects

By reducing barriers to licensure, the proposed amendments reduce costs for some optometry practices.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to significantly affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such

economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.