

Agency Response
Board of Optometry
Department of Health Professions

The agency generally agrees with the Economic Impact Analysis submitted by the Department of Planning and Budget regarding the proposed amendments to 18VAC105-20. The agency, however, would like to address two issues.

First, for clarification, the legislation which forms the basis of the current action changed the scope of practice of optometry in Virginia Code § 54.1-3201 to include all actions previously within the scope of practice and additionally included the three laser surgeries at issue in the legislation. Because the legislation altered the scope of practice of optometry, it altered what a license from the Board of Optometry represents that the bearer is competent to perform according to the Commonwealth of Virginia. A license held by a physician in the Commonwealth, for example, demonstrates that the holder can perform medicine and surgery, as that is the scope of practice included for physicians pursuant to Virginia Code § 54.1-2900. Physicians do not obtain a separate certification for surgery. Recognizing that this is an expansion of scope for optometrists, certifications must be initially offered separate from initial licensure and for any existing licensees. In fact, after January 1, 2033, existing licensees will still be able to obtain a certification to practice laser surgery separate from their existing license. *New* license applicants – those that have never held a license in Virginia – will need to obtain a license that incorporates the requirements for laser surgery after January 1, 2033.

Additionally, the agency disagrees with the following statement:

The requirement that from 2033 onwards, all applicants for licensure in optometry must meet the criteria for laser surgery certification, and the resulting increase in the cost of obtaining licensure, could discourage some individuals who would otherwise have studied to enter the optometry profession from doing so.

Economic Impact Analysis, p. 6.

The current cost of tuition at optometric schools in the United States covers the study of these three laser procedures, which has been part of curricula covered prior to graduation since approximately the class of 2015. *See* Agency Background Document at 5. The cost of tuition far exceeds the comparatively minimal cost of obtaining licensure, even after 2033 when the cost of a new license to practice would include the cost of laser certification. The cost of optometry school may deter potential optometrists, but it is extremely unlikely that the cost of licensure would lead a potential optometrist to forgo attending optometry school particularly given the cost

of school and the number of optometrists carrying student loan debt. As noted in the Health Workforce Data Center's 2023 report on the profession of optometry:

More than two out of every five optometrists currently have education debt, including 75% of those who are under the age of 40. For those optometrists with education debt, the median debt amount is between \$120,000 and \$140,000.

See Virginia's Optometrist Workforce: 2023 at 8, available at:
<https://www.dhp.virginia.gov/media/dhpweb/docs/hwdc/opt/0618Optometrists2023.pdf>.