

**Agency Response**  
**Board of Optometry**  
**Department of Health Professions**

The Board of Optometry concurs with the Economic Impact Analysis of the Department of Planning and Budget for proposed amendments to 18VAC105-20, with one clarification. Prior to the 2023 General Assembly Session, Virginia Code § 54.1-2400(10) stated that “[t]his subdivision shall not be construed to limit the authority of a board to delegate to an appropriately qualified agency subordinate, as defined in § 2.2-4001, the authority to conduct informal fact-finding proceedings in accordance with § 2.2-4019, upon receipt of information that a practitioner may be subject to disciplinary action.” (Emphasis added.) The underlined language limited boards to only using agency subordinates for disciplinary matters. HB1622 of the 2023 General Assembly removed the underlined language from the statute, thereby removing the limitation from the statute and allowing the boards to use agency subordinates to hear disciplinary cases and credentials cases.