



Virginia
Regulatory
Town Hall

Exempt Agency Final Regulation Agency Background Document

Agency Name:	Board of Optometry - Department of Health Professions
VAC Chapter Number:	18 VAC 105-20-10 et seq.
Regulation Title:	Regulations Governing the Practice of Optometry
Action Title:	Reduction in reinstatement fees
Date:	4/5/00

Where an agency is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the regulations with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

This agency background document may be used by **agencies exempt pursuant to § 9-6.14:4.1(A) of the APA**. Note agencies exempted need not file a Notice of Intended Regulatory Action. Exempt agencies must file with the Registrar beginning at the proposed stage.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The board is amending Section 60 of its regulations to reduce the reinstatement fees it currently charges applicants for reinstatement. Currently, regulations require payment of a late fee for a lapsed license, plus payment of all back renewal fees and a reinstatement fee. For example, a recent applicant, who had been living and practicing out-of-state, had allowed her Virginia license to lapse in 1993. Under the current fee structure, her reinstatement fees would total \$1550. Under the

amended fee structure, her reinstatement fees would consist of payment of a late fee, the past year renewal fee and a reinstatement fee for a total of \$500. The current regulation establishes a burdensome reinstatement fee that is a disincentive for optometrists to return to active practice in Virginia.

The effective date of this regulation will be June 6, 2001.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

In accordance with the powers and duties of Board of Optometry, amendments to 18 VAC 105-20-10 et seq. were adopted on April 4, 2001. Although required to comply with the Virginia Register Act, the agency is exempt for the implementation of these regulations pursuant to § 9-6.14:4.1 C 9, which allows boards within the Department of Health Professions to reduce fees without complying with all provisions of the Administrative Process Act.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

There is no impact on the family as a result of this regulatory action. There is the potential for an increase in disposable family income for optometrists seeking reinstatement of licensure to reestablish a practice in Virginia.