

Office of Regulatory Management
Economic Review Form

Agency name	Board for Hearing Aid Specialists and Opticians
Virginia Administrative Code (VAC) Chapter citation(s)	18 VAC 80-30
VAC Chapter title(s)	Opticians Regulations
Action title	General Review of Opticians Regulations
Date this document prepared	December 16, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Proposed (Action 6304 / Stage 10649)

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>As a result of the general review, there are several proposed changes that may have an economic impact.</p> <ol style="list-style-type: none"> 1. A new provision introduced that limits the reporting of misdemeanor convictions to only those that occurred within the past three years, instead of requiring the disclosure of such misdemeanor convictions during a person's lifetime. 2. The standards for lenses and frames have been revised to align more closely with current industry practices. The revisions will eliminate outdated specifications. 3. 18VAC80-30-190. Criteria for related technical instruction were added to the regulations to fulfill the 144-hour requirement for two-year apprenticeships. The apprenticeship and related technical instruction must be established by the state Department of Workforce Development and Advancement, Division of Registered Apprenticeship, and approved by the board. To provide clear guidelines, the board has added a new section outlining specific criteria for institutions to follow when developing curricula and seeking board approval. The list of criteria provided by the Optician Curriculum Review Committee serves as a comprehensive guideline to ensure compliance and make the process easier to comply with apprenticeship instructional requirements. Previously, the Board reviewed programs without specific standards, leading to confusion among institutions. Some institutions seeking approval to teach related technical instruction to Optician apprentices repeatedly submitted their programs without success, often waiting nine months or more. Establishing standards may lead to a greater number of institutions securing board approval. <p>Direct Costs: There are no new monetizable direct costs associated with this regulatory change.</p> <p>Indirect Costs: There are no new monetizable indirect costs associated with this regulatory change.</p> <p>Direct Benefits: There are no new monetizable direct benefits associated with this regulatory change.</p> <p>Indirect Benefits:</p>
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	There are no new monetizable indirect costs associated with this regulatory change.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	<p>Benefits: The main benefit of the lens and frames regulatory modification is it update specifications to industry standards and eliminate outdated specifications. The existing regulations outlining the lens and frame standards are outdated. The regulatory change will benefit regulants by reducing confusion and eliminating outdated requirements.</p> <p>A main benefit to adding criteria for education institutions to provide related technical instruction is providing specific rules that ensures a standardized approach to curriculum development across different institutions. The rules will help maintain consistency in the quality and content of the instruction provided to optician apprentices.</p> <p>The reduced criminal conviction reporting requirement would allow more applicants with a prior criminal history to potentially qualify for licensure.</p> <p>Indirect Benefits: An indirect benefit of adding the criteria for educational institutions to provide related technical instruction to the Board for approval is providing clear guidelines to enable more institutions to present their criteria for approval. This change can increase the number of educational institutions interested in providing training to opticianry apprentices. Educational institutions may see an increase in revenue as apprentices enroll in new board-approved programs.</p>	
(5) Information Sources	The qualitative measures came from the Board for Hearing Aid Specialists and Opticians subject matter experts.	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no new monetizable direct costs associated with maintaining the status quo.</p> <p>Indirect Costs:</p>
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	<p>There are no new monetizable indirect costs associated with maintaining the status quo.</p> <p>Direct Benefits: There are no new monetizable direct benefits associated with maintaining the status quo.</p> <p>Indirect Benefits: There are no new monetizable indirect benefits associated with maintaining the status quo.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	Opticians using the current regulatory specifications have inaccurate lens and frame measurements. The existing regulations outlining the lens and frame standards are outdated This regulation adjustment has no direct expenses for licensees or the public.	
(5) Information Sources		

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	N/A-See Box #3	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	Before initiating this regulatory action, the Board attempted to resolve various issues by developing departmental policies and guidance documents. However, these measures are inadequate for addressing the concerns sustainably since policies and guidance cannot effectively replace the need to amend regulations. No other viable alternatives to a	

	regulatory change have been identified. One of the objectives of the regulatory review has been to identify areas where the regulation can be changed to reduce or mitigate regulatory burdens on applicants and licensees.
(5) Information Sources	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	N/A- See Box #3	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	There are no anticipated direct or indirect costs to local partners. There are no anticipated direct or indirect benefits to local partners	
(4) Assistance	N/A	
(5) Information Sources		

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	NA-See Box#3
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	There are no anticipated direct or indirect costs to families. There are no anticipated direct or indirect benefits to families.	
(4) Information Sources		

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	N/A-See Box #3	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	As noted in the ABD, licenses issued under this regulation are issued to individuals, and not to business entities. However, many licensees and certificate holders are likely owners or employees of business entities that meet the definition of "small business" in § 2.2-4007.1 of the Code of Virginia.	
(4) Alternatives	No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.	
(5) Information Sources		

Changes to Number of Regulatory Requirements**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
30-20	(M/A):	0	0	0	0
	(D/A):	2	4	2	+2
	(M/R):	0	0	0	0
	(D/R):	13	5	5	0
30-30	(M/A):	0	0	0	0
	(D/A):	3	0	2	-2
	(M/R):	0	0	0	0
	(D/R):	4	4	2	+2
30-40	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	4	0	4	-4
	(D/R):	5	0	5	-5
30-50	(M/A):	0	0	0	0
	(D/A):	3	0	0	0
	(M/R):	0	0	0	0
	(D/R):	4	1	1	0
30-70	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	15	5	5	0
30-90	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	11	1	2	-1
30-100	(M/A):	1	0	0	0
	(D/A):	1	0	0	0
	(M/R):	0	0	0	0
	(D/R):	8	0	2	-2
30-110	(M/A):	1	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	22	0	8	-8

30-120	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	9	7	4	+3
30-130	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	6	0	1	+1
30-160	(M/A):	1	0	0	0
	(D/A):	3	0	2	-2
	(M/R):	0	0	0	0
	(D/R):	14	0	4	-4
30-180	(M/A):	0	0	0	0
	(D/A):	5	0	2	-2
	(M/R):	0	0	0	0
	(D/R):	46	0	14	-14
30-190	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	0	18	0	+18
DIBR	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	57	0	57	-57
Grand Total of Changes in Requirements:					(M/A): 0 (D/A): -4 (M/R): -4 (D/R): -67

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
N/A	N/A	N/A	N/A	N/A

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
30-20	Allows for an applicant to provide a post office box as a secondary address.	<p>The change provides flexibility to applicants and regulants.</p> <p>The change reduces the stringency of the current requirement by 50%.</p> <p>The change applies to on D/R requirement in the section.</p>
30-20 30-30 30-110	Applicants for licensure must disclose any misdemeanor convictions involving sexual offense or physical injury that occurred within three (3) years prior to application for licensure. Currently, applicants may be disqualified from licensure for any misdemeanor involving sexual offense or physical injury, regardless of how long ago the conviction occurred.	<p>Reduces the stringency of the current requirements for disclosure of criminal convictions.</p> <p>The change reduces the stringency of the current requirement by 50%.</p> <p>The change applies to one D/R requirement in section -20, one D/R requirement in section -30, and one D/R requirement in section -110.</p>
30-140	The requirement for a notarized duplicate license to be posted in branch offices is replaced with a less restrictive requirement that a clear and legible copy of the license be posted.	<p>This change reduces the stringency of the current requirement for posting of licenses.</p> <p>This change reduces the stringency of the current requirement by 50%.</p> <p>This change applies to one D/R requirement in the section.</p>

30-150	The timeframe for reporting a change of name or address is increased from 30 days to 60 days.	The change reduces the stringency of the current requirement by 100%. The change applies to one D/R requirement in the section.
30-150	Notification requirements for changes of name or address are revised to require that such notifications be submitted, rather than mailed to the Board.	The change reduces the stringency of the current requirement. This change reduces the stringency of the current requirement by 50%. The change applies to on D/R requirement in the section.
30-160	The prohibited act regarding criminal convictions is revised to provide that the Board will consider regulatory discipline for any misdemeanor convictions involving sexual offense or physical injury that occurred within the last three (3) years.	Reduces the stringency of the current requirement for regulant discipline for criminal convictions. The change applies to on D/R requirement in the section.

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
N/A	N/A	N/A	N/A

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).