

Tennessee Board of Dispensing Opticians



Newsletter



2015

A Regulatory Agency of the state of Tennessee

Fall

665 Mainstream Drive, Nashville, TN 37243 <http://tn.gov/health> (615) 741-5735 or 1-800-778-4123.
Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except state and federal holidays) Fax: (615) 532-5369

In conjunction with the purpose and goals of the Department of Health, the Mission of the Bureau of Health Licensure and Regulation is to: Monitor, access and enforce health care laws and regulations; Protect, promote and enhance quality health care for all citizens; Continuously strive to meet the needs of our customers in a respectful and caring manner; Provide quality work-life necessary to attract and retain competent, caring employees; Empower our employees to become entrepreneurs in their jobs; Increase awareness and public confidence in our services; and, Utilize our resources efficiently and cost effectively.

2016 Board Meeting Dates

January 20, 2016
9:00 a.m., Poplar Room

April 27, 2016
9:00 a.m., Iris Room

July 27, 2016
9:00 a.m., Poplar Room

October 26, 2016
9:00 a.m., Poplar room

All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

Live Streaming Video

If you would like to see your board "in action" but can't attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is: <https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you



access the page, go to the board meeting you wish to view and click on that particular link.

Legislative Updates

Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records in order to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This act took effect on April 16, 2015.

Public Chapter 94

This act defines "abuse" and "neglect" for purposes of placing a person on the registry of persons who have abused, neglected, or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking purposes, this bill became effective on April 10, 2015. All other provisions become effective on July 1, 2015.

[Public Chapter 96](#)

This extends the Board of Dispensing Opticians through June 30, 2021 and clarifies those nominations to serve as members of the Board may come from professional associations.

[Public Chapter 502](#)

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

[Public Chapter 268](#)

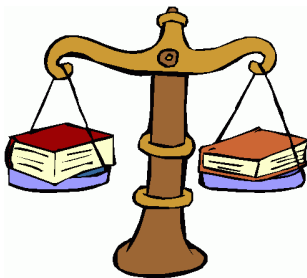
This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

[Public Chapter 261](#)

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider
- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service

RULE AMENDMENTS



New rules have been passed recently affecting dispensing opticians and apprentices. A summary of these rules is as follows:

Apprenticeship: Apprentice supervisors no longer have to have a certain number of years before they can

supervise. However, they can only supervise no more than two (2) apprentices at one time.

The length of the apprenticeship training is now a minimum of three (3) years to complete 5250 hours of training, but a maximum of six (6) years. If full licensure is not achieved at the end of six (6) years, the applicant will be required to start the apprenticeship program from the beginning.

Semi-annual supervision reports: All reports submitted to the board's administrative office must be notarized.

Dispensing Opticians Website

You may download a copy of the rules, applications and forms, board member list, board meeting schedule, policy statements, and other pertinent information at the board's website:

<http://tennessee.gov/health/topic/DO-board>



Have You Moved? Change of Address

Must be reported (in writing or by e-mail) to the board's office within 30 days! Please include the following:

- your name and license number;
- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number; and your signature!
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

A form for a change of address or name change can be found at: <http://tn.gov/health/article/DO-applications>

You may fax your change to the board's administrative office at (615) 532-5369 or mail to: 665 Mainstream Dr., Nashville, TN 37243.

PRACTITIONER PROFILE

When you notify the board of an address or name change, please remember to update your practitioner profile.

Electronic Notification for Licensed Health Professionals

ELECTRONIC NOTICE OPTION

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional "opts in", the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please visit apps.tn.gov/hlrs/begin.jsp and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided.

For more information, contact the Health Professional Boards office at 615-532-3202 or toll-free at 1-800-778-4123.

Office of Investigations



The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a

complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website where you may download and print out the complaint form.

Renew Your License Online



Practitioners may access the online service at <https://apps.tn.gov/hlrs/> to renew their licenses up to 70 days prior to the expiration date.

Click the "Licensing Renewal" link where you can renew your license and update your professional license information. ***Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.***

-Step 1: Login - Select our board and your profession and enter your license number.

-Step 2: Update your Information - Change your home and/or office address.

-Step 3: Enter your renewal information - Answer all necessary questions, as if you were completing your hard-copy form.

-Step 4: Payment - Enter your credit card information through the secure site and choose "submit".

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department's web site within two business days.

Continuing Education Requirements

The board's rule regarding continuing education requires all dispensing opticians to complete eight hours of continuing education courses each calendar year. Four hours must be in spectacles; two hours in contact lens, not to exceed four hours; two hours optional; and one hour of jurisprudence. 2 hours may

come from multi-media – online, video conferences and/or video web seminars. The jurisprudence exam can be found at: <http://tn.gov/health/article/DO-coedu>

Lapsed License

The Board of Dispensing Opticians recognizes that an individual may inadvertently allow his/her license to expire. However, the statute prohibits an individual from working as a Dispensing Optician unless he/she has an active and unrestricted license. While the Board does not condone an individual working on an expired license, recognition is given to the fact that the problem does exist. As such, the Board has adopted the following procedures for reinstatement of an expired or administratively revoked license.

- Immediately upon recognition that his/her license has expired, the individual must stop practicing and contact the Board's administrative office to request a reinstatement application.
- Upon receipt of the reinstatement application, the individuals are to complete the application in its entirety, providing a detailed work history since the license expiration date. The application is to be signed, notarized, and returned to the Board's administrative office along with any additional information and all fees specified in the instructions.
- Upon receipt of a completed reinstatement application, supporting documentation, including continuing education, and fees the Board administrator may immediately reinstate a license, which has been in an expired status for less than three months.
- If the reinstatement application received reflects in the work history that the individual has worked in excess of three months on an expired license, the Board will present to the licensee, official notice which specifies payment of a civil penalty in the amount of \$100.00 per month for every month in excess of three months from the expiration date.
- Discipline for practicing on a lapsed license will be assessed by the Department by Agreed Citation, which will detail the licensee's rights and

obligations under the Uniform Administrative Procedures Act, T.C.A. § 4-5-301, et seq. the discipline assessed in accordance with the Lapsed License Policy constitutes formal discipline against a practitioner's license, and as such it is reportable to the disciplinary databanks and will be noted on the practitioner's licensure profile.

Discipline for lapsed licenses will now be reportable to the national databanks as well as the Department's Disciplinary Action report and will be noted on the practitioner's licensure profile.

To Contact This Board Call:

**(615) 741-5735 local or (800) 778-4123 nationwide
or write to:**

**Tennessee Board of Dispensing Opticians
665 Mainstream Drive
Nashville, TN 37243**

**Or visit the board's website at:
<http://tn.gov/health/topic/DO-board>**

BOARD MEMBERS

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