

WSR 23-22-068

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed October 25, 2023, 11:34 a.m., effective November 25, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Optometrist continuing education (CE) requirements. The board of optometry (board) adopted changes to WAC 246-851-090 and 246-851-125 through 246-851-230 related to CE requirements for licensed optometrists. Adopted amendments include online CE, new definitions, limits on types and categories of CE hours, reference to other required trainings, CE documentation requirements, clarifying self-study requirements, and certain allowances during a declared state of emergency.

Citation of Rules Affected by this Order: Amending WAC 246-851-090, 246-851-125, 246-851-140, 246-851-150, 246-851-155, 246-851-170, and 246-851-230.

Statutory Authority for Adoption: RCW 18.54.070(2), 18.130.050, 18.130.175, and 18.130.186.

Other Authority: RCW 18.54.070(2), 18.130.050, 18.130.175, and 18.130.186.

Adopted under notice filed as WSR 23-16-109 on July 31, 2023.

A final cost-benefit analysis is available by contacting Kristina Bell, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4841, fax 360-236-2901, TTY 711, email Kristina.bell@doh.wa.gov, website www.doh.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 7, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 7, Repealed 0.

Date Adopted: September 8, 2023.

Keren Yang, Vice Chair  
Board of Optometry

**OTS-4445.5**

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-090 Continuing education requirement.** (1) The definitions in this subsection apply throughout this section:

(a) "Asynchronous" means the course instructor and learner are not together at the same time, have no real-time communications, and the content is learner-paced.

(b) "Synchronous in-person" means the instructor is in the same room and face-to-face with the learner, even if other formats are used as audiovisual aids for teaching the course.

(c) "Synchronous virtual" means the course instructor is not physically present but is meeting with learners in real time and can provide immediate feedback.

(2) A licensed optometrist must complete and document ((fifty)) 50 total hours of continuing education every two years ((and comply with chapter 246-12 WAC, Part 7)) in compliance with WAC 246-12-170 through 246-12-235. Of the 50 total credit hours:

(a) A minimum of 10 credit hours must be completed through synchronous in-person learning;

(b) A maximum of 25 credit hours may be completed through asynchronous learning;

(c) The remaining credit hours may be completed through any combination of synchronous virtual learning and asynchronous learning; and

(d) In the event of a declaration of emergency for the state of Washington or federal declaration of emergency affecting the state of Washington, all credit hours may be completed through synchronous virtual or asynchronous learning for the duration of the declared emergency.

(3) Documentation of continuing education credit hours is a certificate of completion, letter, or other document which must:

(a) Verify or confirm attendance or completion of continuing education hours, with the exception of hours earned under WAC 246-851-170 category 5;

(b) Be provided by the organization providing the education activity; and

(c) Contain at least the following information:

(i) Date of attendance or completion;

(ii) Hours earned; and

(iii) Course title or subject.

((+2)) (4) A licensed optometrist ((must)) may alternatively meet the continuing education requirements ((by:

(a) Completing fifty hours of education that complies with WAC 246-851-125 through 246-851-230; or

(b) Alternatively meeting the requirements of this subsection) of this section by providing proof that ((he or she:

(i) Holds a current Optometric Recognition Award from the American Optometric Association;

(ii)) the licensee:

(a) Holds a current certification by the American Board of Optometry or other certification program deemed substantially equivalent to American Board of Medical Specialties' programs; or

((+iii)) (b) Is practicing solely outside of Washington state and meets the continuing education requirements of the state or territory in which ((he or she)) the licensee practices.

(5) Nothing in this section exempts a licensed optometrist from the education and training requirements for:

(a) Suicide prevention in WAC 246-851-245; or

(b) Health equity in WAC 246-851-225.

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-125 Category 1—Credit for education from optometry-specific organizations.** (1) A minimum of ~~((twenty-five))~~ 25 credit hours in category 1 ~~((credit hours))~~ must be earned in any two-year reporting period.

(2) ~~((Up to ten category 1 credit hours may be earned for live courses attended remotely, provided that attendees have the documented opportunity to question the instructor and hear the questions of other attendees in real time.~~

~~(3))~~ Credits may be obtained for ~~((in-person live-attended))~~ education offered by the following optometry-specific course and program sources:

(a) The American Optometric Association (AOA) and its state affiliates;

(b) Educational institutions accredited by the Association of Schools and Colleges of Optometry (ASCO);

(c) The Association of Regulatory Boards of ~~((Optometry))~~ Optometry's (ARBO) ~~((and its state agency members))~~ Council on Optometric Practitioner Education (COPE)—Accredited education;

(d) ARBO member boards;

(e) Nationally recognized academic and scholarly optometric organizations including, but not limited to, the American Academy of Optometry, the Optometric Extension Program, and the College of Optometrists in Vision Development; and

~~((e))~~ (f) Ophthalmic referral centers, secondary and tertiary ophthalmic specialty providers.

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-140 Category 2—Credit for education from nonoptometric organizations.** (1) A maximum ~~((of twenty))~~ 20 credit hours in category 2 ~~((credit hours))~~ may be earned in any two-year reporting period.

(2) Credits may be obtained for ~~((in-person live-attended))~~ education offered by the following nonoptometry-specific course and program sources:

(a) ~~((Category 1 and category 2))~~ Continuing medical education courses in category 1 and category 2 as approved by the ((medical quality assurance commission)) American Medical Association or their affiliates;

(b) First aid, ~~((CPR))~~ cardiopulmonary resuscitation, and other emergency-related courses; and

(c) Industry-sponsored scientific courses that enhance the knowledge of ocular conditions and diseases, and their treatments.

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-150 Category 3—Credit for teaching.** (1) A maximum of ~~((ten))~~ 10 credit hours in category 3 (~~(credit hours)~~) may be earned in any two-year reporting period.

(2) Credits may be obtained for formal and informal optometric instruction.

(a) Three credit hours will be granted for each course hour taught.

(b) Credit will be granted for only the first time a course is taught.

(c) Qualifying courses must be presented to ~~((optometrists))~~ practitioners or allied health professionals.

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-155 Category 4—Credit for publishing and exhibiting.** (1) A maximum of ~~((ten))~~ 10 credit hours in category 4 (~~(credit hours)~~) may be earned in any two-year reporting period.

(2) Five credits may be obtained for each paper, exhibit, publication, or for each chapter of a book that is authored and published.

(a) A paper must be published in a recognized optometric, scientific, or medical journal.

(b) A qualifying paper or exhibit must be presented to ~~((optometrists))~~ practitioners or allied health professionals.

(c) Credit may be claimed only once for the scientific materials published or exhibited.

(d) Credit will be assigned as of the date materials were presented or published.

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-170 Category 5—Credit for ~~((self-directed study))~~ self-study.** ~~((1))~~ A maximum of ~~twenty-five~~ category 5 credit hours may be earned in any two-year reporting period.

~~(2)~~ Credits may be obtained for nonsupervised individual continuing educational activities.

~~(a)~~ Subject matter must be from professional optometric or medical literature or multimedia material;

~~(b)~~ Course material may be presented in any form of printed or electronic media;

~~(c)~~ Courses must be approved by a category 1 organization listed in WAC 246-851-125; and

~~(d)~~ Successful completion of an examination or other assessment tool is required for qualifying credit. Up to ten category 5 credit hours may be earned by submitting in lieu of an assessment tool a non-handwritten report which includes a copy of the article, publication source and date, and at least ten descriptive statements from the ar-

~~title.)~~) (1) A maximum of 10 credit hours may be earned through self-study without an instructor physically present.

(2) A licensed optometrist shall receive two credit hours for each self-study completed. Each self-study must include:

(a) A copy of the article, and its publication source and date;  
and

(b) A two-page typewritten and dated synopsis of what has been learned by the licensed optometrist.

(3) Self-study material must be from professional optometrist or medical literature, and includes reading a book, study clubs, research materials or other publications that contribute to the professional knowledge and development of the licensed optometrist, or enhance services provided to patients.

AMENDATORY SECTION (Amending WSR 15-24-119, filed 12/1/15, effective 1/1/16)

**WAC 246-851-230 Credits for practice management courses.** A maximum of (~~ten~~) 10 credit hours may be granted in any two-year reporting period for practice management courses or programs.