

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1164

By: Representative M. Gray

By: Senator Irvin

## For An Act To Be Entitled

AN ACT TO AUTHORIZE LICENSURE BY ENDORSEMENT FOR  
OPTOMETRISTS; TO DECLARE AN EMERGENCY; AND FOR OTHER  
PURPOSES.

### Subtitle

TO AUTHORIZE LICENSURE BY ENDORSEMENT FOR  
OPTOMETRISTS; AND TO DECLARE AN  
EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-90-302 is amended to read as follows:

17-90-302. ~~Reciprocity~~ Licensure by endorsement.

(a) Any person from another state desiring to engage in the practice of optometry in this state may be issued ~~a certificate~~ licensure by endorsement at the sole discretion of the State Board of Optometry ~~without a written examination~~ upon satisfactory proof that he or she:

(1) Is qualified under this chapter;

(2) Has been issued a certificate or license to practice optometry by a state, territory, the District of Columbia, or Canada having ~~licensure requirements at least equal in scope and standards to Arkansas with whom the board has an agreement of reciprocity~~ standards of proficiency at least equal to the standards of Arkansas; and

(3) Has engaged in the lawful practice of optometry for a period of three (3) years of the past four (4) years in the other state, territory, the District of Columbia, or Canada and has complied with all the



requirements of the Arkansas licensure law at the time of application; and

(4) Has passed an Arkansas jurisprudence examination.

(b) ~~He or she shall be required to~~ The applicant shall pay a fee to the Secretary-treasurer of the State Board of Optometry for registration in a reasonable amount to ~~be fixed~~ cover the administrative costs of the application process as determined by the board.

(c) An application for licensure by endorsement shall be accompanied by:

(1) The fee described in subsection (b) of this section;

(2) Certification from all other states or territories in which the applicant has practiced;

(3) A certificate of good standing from each authority which issued the license, setting forth the applicant's moral reputation and character, history with the authority, professional ability, continuing education compliance, and other information or data as the State Board of Optometry may deem necessary or expedient;

(4) A copy of the therapeutic license held by the applicant;

(5) A copy of the cardiopulmonary resuscitation certification held by the applicant;

(6) Transcripts from:

(A) All colleges or universities attended by the applicant; and

(B) An accredited school or college of optometry;

(7) Proof of completion of all parts of the National Board of Examiners in Optometry examination required at the time of graduation for initial licensure sent directly to the State Board of Optometry;

(8) Information on past medical malpractice claims and any disciplinary actions; and

(9) Application to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check, to be conducted by the Federal Bureau of Investigation.

(d) Upon furnishing satisfactory proof of fitness as contemplated in this section, the State Board of Optometry in its discretion may issue a license to practice optometry to the applicant without further cost except as otherwise provided in this chapter for the renewal of licenses.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that in order to become a licensed optometrist in the State of Arkansas, optometrists who are licensed in other states must retake examinations if the optometrist has not taken all parts of the examination since 1997, which causes a delay in licensure and places a barrier on optometrists moving into the state; that licensure by endorsement authorizes the State Board of Optometry to license individuals with optometrist licenses in other states quickly and easily; that other states offer reciprocity to optometrists licensed in Arkansas through licensure by endorsement; and that this act is immediately necessary to ensure that optometric practices are performed within the State of Arkansas with a license issued by the State Board of Optometry, to bring Arkansas laws regarding reciprocity of optometrists as quickly as possible, and to increase health care access to optometric services for the citizens of the State of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

**APPROVED: 02/07/2017**