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<http://mn.gov/health-licensing-boards/optometry/>

**AT A GLANCE**

**Credentialing Services**

- 1,085 renewed licenses
- 47 new licenses

**Education Services**

- 1,085 reviews of reported continuing education
- 108 audits of reported continuing education
- 39 continuing education program approvals

**Complaint Resolution**

- Investigated 14 complaints
- Formal action for 4 complaints

Source: Annual Board Report FYE 06/30/2014

**PURPOSE**

The Minnesota Board of Optometry is responsible for protection of the public through the regulation of optometrists in the state of Minnesota. The Board was established in 1915 under the authority of Minnesota Statutes, Chapter 148. Regulation is accomplished through licensure examination, annual license renewal, continuing education requirements, as well as investigation and resolution of complaints against licensees. Approximately 75% of Minnesotans use some sort of vision correction.

The Board's mission is to:

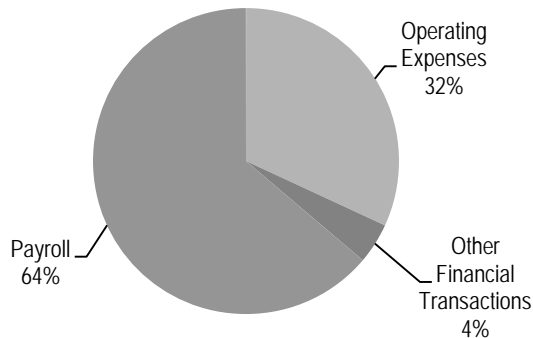
- Protect the public through effective licensure and enforcement of the statutes and rules governing the practice of optometry
- Ensure a standard of competent and ethical care

The Board contributes to the statewide outcomes of:

- People in Minnesota are safe
- Efficient and accountable government services

**BUDGET**

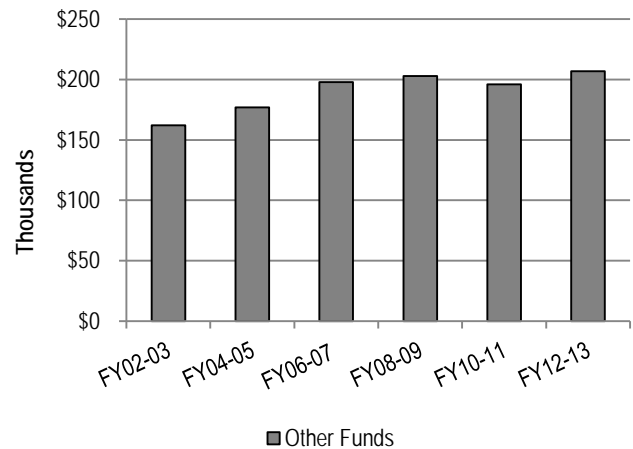
Spending by Category  
FY 13 Actual



Source: SWIFT

The Board is funded solely by fees collected from applicants, licensees and continuing education program sponsors. Revenue is deposited into a non-dedicated state government special revenue fund. The Board receives authority to spend funds through a direct appropriation from the state government special revenue fund. Board members communicate openly with licensees to ensure fees are used prudently. The Minnesota Board of Optometry fees were last increased in 1995.

Historical Spending



Source: Consolidated Fund Statement.

## STRATEGIES

The Board of Optometry regulates the profession by:

- Setting educational standards for initial licensure.
- Reviewing applicant's education and training to determine compliance with the board's licensure requirements.
- Reasonably ensuring that only applicants who meet licensure requirements are granted a license.
- Issuing initial and renew licensure for qualified professionals.
- Setting continuing education requirements for maintenance of licensure.
- Setting standards of practice and taking disciplinary or corrective action against misconduct for licensees.
- Responding to public and agency inquiries, complaints, and reports regarding licensure and conduct of applicants and licensees.
- Providing information about licensure requirements and standards of practice to citizens and other interested persons or agencies.

The Board's strategic plan is focused on electronic advancements that support efficient and effective licensure, public transparency and ease of use. The Board seeks to update statute this session to reflect contemporary practice standards at the national level.

We provide services to 1,085 licensed optometrists in Minnesota and work collaboratively with continuing education and provider associations. The current board chair also serves as the Chair of the national Association of Regulatory Boards of Optometry.

Quarterly board meetings are driven by seven governor-appointed board members with other stakeholders in attendance. The agenda reflects quality improvement activities with key statistics tracked and shared with the attendees. Board discussion leads to action steps and directives to staff which is listed in the minutes of each board meeting. Those minutes are posted on the website.

## RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Percent of license renewals completed online	71%	88%	FY 2012 & FY 2013
Quality	Percent of initial applications completed online	0	65%	FY 2012 & FY 2013
Quality	Average number of days it takes for an applicant to be granted their initial license	10 days	2 days	FY 2012 & FY 2013

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The statutory authority for the Minnesota Board of Optometry is located in Chapter 148: <https://www.revisor.mn.gov/statutes?id=148.52>  
The rules are located in MN Rules Chapter 6500. <https://www.revisor.mn.gov/rules?id=6500.0100>  
Additional statutes pertaining to all health licensing boards are found in Chapters 13, 16, and 214.

**Expenditures By Fund**

	Actual		Actual FY14	Estimate FY15	Forecast Base		Governor's Recommendation	
	FY12	FY13			FY16	FY17	FY16	FY17
1201 - Health Related Boards	92	116	106	119	111	111	141	146
<b>Total</b>	<b>92</b>	<b>116</b>	<b>106</b>	<b>119</b>	<b>111</b>	<b>111</b>	<b>141</b>	<b>146</b>
<i>Biennial Change</i>				18		(3)		62
<i>Biennial % Change</i>				9		(1)		28
<i>Governor's Change from Base</i>								65
<i>Governor's % Change from Base</i>								29

**Expenditures by Program**

Program: Optometry Board of	92	116	106	119	111	111	141	146
<b>Total</b>	<b>92</b>	<b>116</b>	<b>106</b>	<b>119</b>	<b>111</b>	<b>111</b>	<b>141</b>	<b>146</b>

**Expenditures by Category**

Compensation	70	74	80	78	73	73	93	93
Operating Expenses	21	37	26	41	38	38	48	53
Other Financial Transactions	0	5	0					
<b>Total</b>	<b>92</b>	<b>116</b>	<b>106</b>	<b>119</b>	<b>111</b>	<b>111</b>	<b>141</b>	<b>146</b>

**Full-Time Equivalent**

	<b>0.6</b>	<b>0.8</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>	<b>0.9</b>
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(Dollars in Thousands)

**1201 - Health Related Boards**

	Actual		Actual FY 14	Estimate FY15	Forecast Base		Governor's Recommendation	
	FY12	FY 13			FY16	FY17	FY16	FY17
Balance Forward In		17		1				
Direct Appropriation	106	116	107	118	108	108	138	143
Open Appropriation	3	2	0	0	3	3	3	3
Cancellations		19						
<b>Expenditures</b>	<b>92</b>	<b>116</b>	<b>106</b>	<b>119</b>	<b>111</b>	<b>111</b>	<b>141</b>	<b>146</b>
Balance Forward Out	17		1					
<i>Biennial Change in Expenditures</i>				18		(3)		62
<i>Biennial % Change in Expenditures</i>				9		(1)		28
<i>Gov's Exp Change from Base</i>								65
<i>Gov's Exp % Change from Base</i>								29
FTEs	0.6	0.8	0.9	0.9	0.9	0.9	0.9	0.9

# Optometry, Board of

## FY16-17 Biennial Budget Change Item

### Change Item: Small Agency Base Budget Increase

Fiscal Impact (\$000s)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Health Related Boards Fund				
Expenditures	\$30	\$35	\$35	\$35
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	\$30	\$35	\$35	\$35
FTEs	0	0	0	0

### Recommendation:

The Governor recommends additional funding for compensation and operating costs associated with the delivery of Board of Optometry services. The net fiscal impact of this recommendation is offset by a proposed change in the Board of Optometry's fee structure (described in a separate change item).

### Rationale/Background:

The number of licensed optometrists almost doubled from 1984 to 2014. During this time, staffing at the Board of Optometry remained the same at 0.87 full time equivalents (FTE) – a 0.5 FTE Executive Director and a 0.38 FTE support staff. Each year, compensation costs rise due to labor contract settlements and changes in employer-paid contributions for insurance, FICA, Medicare, retirement, and other factors. Continuing to absorb this increase in costs without an adjustment in the board's base appropriation will result in staffing cuts and/or significant reductions board operations. State by state comparisons have found the Minnesota Board of Optometry to be staffed significantly lower than boards in other states in terms of personnel office hours. The board also has limited some of their technology initiatives due to budget constraints.

The Board of Optometry, like the other health-related license boards, is a fee-supported agency. Anticipated fee collections with the recommended changes to the Board of Optometry's fee structure are sufficient to support additional spending in next biennium.

### Proposal:

The Governor recommends increasing the Board of Optometry's base appropriation by \$30,000 in FY16 and \$35,000 in FY17. This increase is intended to fund operational items including: rent (\$1,500), salaries and benefits (\$20,000), IT costs (\$5,000) and board and complaint resolution committee meetings (\$3,500).

### Results:

To fulfill its mission, the board must ensure that information regarding the licensure process for optometrists is clear, accurate, and available to the public.

Type of Measure	Name of Measure	Previous	Current	Dates
Quantity	Percent of license renewals completed online	71%	88%	6/30 6/30 2012---2013
Quality	Percent of initial applications online	0	65%	6/30 6/30 2012---2013
Quality	Average number of days it takes for an applicant to be granted their initial license	10 days	2 days	6/30 6/30 2012---2013

### Statutory Change(s):

None

# Optometry, Board of

## FY16-17 Biennial Budget Change Item

### Change Item: Fees Increased and Codified in Statute

Fiscal Impact (\$000s)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Health Related Boards Fund				
Expenditures	0	0	0	0
Revenues	\$30	\$35	\$35	\$35
Net Fiscal Impact = (Expenditures – Revenues)	(\$30)	(\$35)	(\$35)	(\$35)
FTEs	0	0	0	0

### Recommendation:

The Governor recommends that licensing fees assessed by the Board of Optometry be increased in accordance with a schedule of “not to exceed” amounts to be codified in Minnesota Statutes Chapter 148.52, the board’s enabling statute. The recommended fee schedule, which is detailed in the “Proposal” section of the change item, would enable the board to increase fee collections by \$65,000 in the FY16-17 biennium. This revenue is needed to address an anticipated deficit in the board’s budget and cover the cost of a proposed operating adjustment.

### Rationale/Background:

The Board of Optometry, like the other health-related license boards, is a fee-supported agency that receives no General Fund dollars. While the legislature approves the board’s biennial spending plan, fees are collected to fund all expenditures. Currently, the board does not collect fees sufficient to fund the approved 2015 expense budget. It also does not collect sufficient fees to meet the legislative standard of an annual budget in surplus. The board’s last significant fee increase request was 30 years ago. Inflation over the same period of time was 114%. Given the lengthy period of no fee increases, the proposed fee schedule is supported by all stakeholders.

The national average for the annual optometry license renewal is \$212 per year. Minnesota’s current fee is \$105. Under this proposal, the board could establish an optometry license renewal fee not to exceed \$135.00. At the maximum level this fee would still be 37% below the national average. Lower fees result in lower levels of operations. Staffing is currently two part time, or a 0.88 FTE for the entire board. The board has also limited some of its technology initiatives due to current budget restraints.

Codifying the Board of Optometry’s fee structure in statute will better inform licensees, applicants, and the public of the differing types of fees and fee amounts subject to collection by the board. Establishing fees in the form of “not to exceed” maximums enables the board to meet budgetary expense obligations while potentially reducing some fees to encourage effective management.

### Proposal:

The table below shows the Board of Optometry’s current fees and the new “not to exceed” amounts that would be established under this proposal.

Swift Code		Date of Last Fee Increase	Current Fee	Not to Exceed Fee
640500	Optometry: Licensure Application	8/1/08	\$87.00	\$160.00
640501	Opt: Licensure Registration	11/30/87	\$12.00	\$12.00
640502	Opt: Annual Lic Renewal	10/9/84	\$105.00	\$135.00
640503	Opt: Late Penalty Fee	10/9/84	\$35.00	\$75.00
640504	Opt: Dpa Application	2/22/88	\$10.00	\$0.00
640505	Opt: Tpa Application	11/15/93	\$50.00	\$0.00
640506	Opt: Duplicate/ Replacement	11/30/87	\$10.00	\$10.00
640507	Opt: Ce Application	10/9/84	\$15.00	\$45.00
640508	Opt: Emeritus Registration	3/10/97	\$10.00	\$10.00
640509	Opt :Reciprocity Application	8/1/08	\$87.00	\$160.00
640510	Opt: Miscellaneous			
640511	Opt: Reinstatement Fee			
640512	License Verification	New	NA	\$50.00
651401	Corporation Annual Report	1/1/85	\$100.00	\$100.00
513122	Ent. Licensing Surcharge (MNIT fees-pass through)	11/1/09	\$10.50	\$13.50

**Results:**

To fulfill its mission, the board must ensure that information regarding the licensure process for optometrists is clear, accurate, and available to the public. Codification of the recommended fee structure within Minn. Stat. § 148.52 will enable the board to continue to provide services in a cost-efficient and customer-centered manner.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Percent of license renewals completed online	71%	88%	6/30 6/30 2012---2013
Quality	Percent of initial applications online	0	65%	6/30 6/30 2012---2013
Quality	Average number of days it takes for an applicant to be granted their initial license	10 days	2 days	6/30 6/30 2012---2013

**Statutory Change(s):**

This recommendation requires changes to the Board of Optometry's enabling statute; Minnesota Statute 148.52. The board is also proposing other revisions to the statute in this session to eliminate outdated language and standards.