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Optometry, Board of

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mn.gov/boards/optometry/

AT A GLANCE

Credentialing Services

- 1,130 renewed licenses
- 51 new licenses

Education Services

- 1,130 reviews of reported continuing education
- 113 audits of reported continuing education
- 40 continuing education program approvals

Complaint Resolution

- Investigated 39 complaints
- Formal action for 11 complaints

Source: Annual Board Report For Year Ended 06/30/2018

PURPOSE

The Minnesota Board of Optometry is responsible for protection of the public through the regulation of optometrists (OD) 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 providing neutral and timely investigations and resolution of complaints against licensees. Approximately 75% of Minnesotans use some type 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
- Provides timely and neutral resolution of complaints

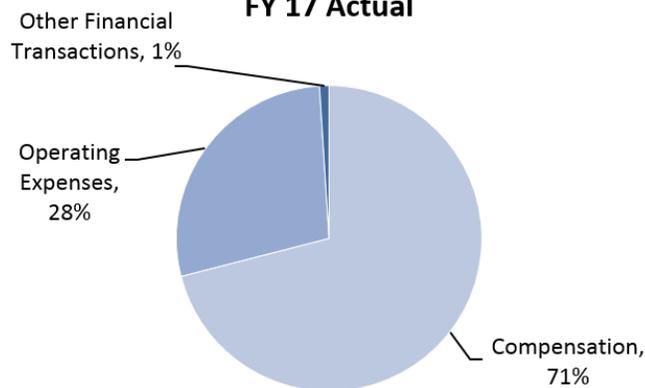
The Board contributes to the statewide outcomes of:

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

BUDGET

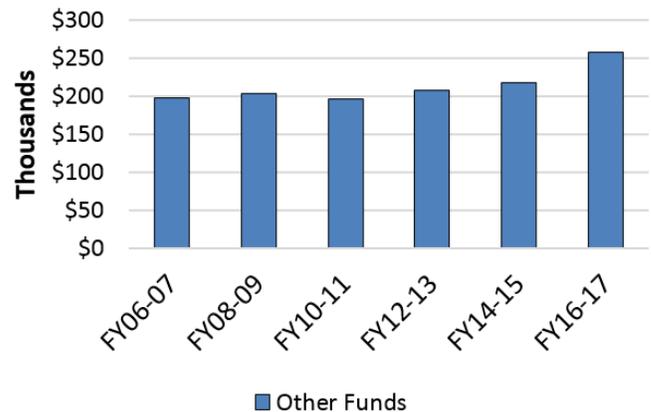
Spending by Category

FY 17 Actual



Source: Budget Planning & Analysis System (BPAS)

Historical Spending



Source: Consolidated Fund Statement

The Board is funded by licensure fees and receives no general fund dollars. Minnesota Statutes section 214.06, subdivision 1(a) requires the Board to collect fees in the amount sufficient to cover direct and indirect expenditures. Funds are deposited as non-dedicated revenue into the state government special revenue fund. From this fund, the Board receives a direct appropriation to pay for agency expenses such as salaries, rent, costs associated with disciplinary/contested cases, and operating expenditures. It also pays statewide indirect costs through an open appropriation.

In addition to Board operations, licensure fees fund activities that support multiple boards and/or other agencies. Some of these are: the Administrative Services Unit (inter-board), Health Professionals Services Program (inter-board), Prescription Monitoring Program (Pharmacy Board), Office of the Attorney General for legal services, and the Criminal Background Check Program (inter-board).

Board members communicate openly with licensees to ensure fees are used prudently. (ARBO). The national optometry board, the Association of Regulatory Boards for Optometry (ARBO) completes an annual survey of all fees charged to the nation’s OD’s for licensing activities. The Minnesota Board of Optometry renewal of license fees are in the lowest 25% percentile in the nation.

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 and completing those reviews in a timely and neutral manner.
- Providing information about licensure requirements and standards of practice to citizens and other interested persons or agencies.

The board provides services to 1,130 licensed optometrists in Minnesota and collaborates with continuing education and provider associations. The current board chair and one other Minnesota board member serve on the national board, the Association of Regulatory Boards of Optometry.

Quarterly board meetings are driven by seven governor-appointed board members with other stakeholders in attendance. Complaints are actively reviewed by an OD and one public member to assure the blending of both perspectives in seeking a timely and neutral review of the concerns presented. The board 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	99%	90%	FY 2017 & FY 2018
Quality	Percent of initial applications completed online	77%	83%	FY 2017 & FY 2018
Quantity	Number of complaints received/closed without investigation within three months	11/1	39/6	FY 2017 & 2018

The statutory authority for the Minnesota Board of Optometry was most recently updated in 2015 is located in Chapter 148: <https://www.revisor.mn.gov/statutes?id=148.52>

The rules was most recently updated in July, 2018 and are located in MN Rules Chapter 6500.
<https://www.revisor.mn.gov/rules?id=6500>

Additional statutes pertaining to all health licensing boards are found in Chapters 13, 16, and 214.

Optometry, Board of

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21

Expenditures by Fund

1201 - Health Related Boards	133	124	134	216	176	176	200	201
2000 - Restrict Misc Special Revenue			2	2	2	2	24	24
Total	133	124	135	218	178	178	224	225
Biennial Change				97		3		96
Biennial % Change				38		1		27
Governor's Change from Base								93
Governor's % Change from Base								26

Expenditures by Program

Optometry Board	133	124	135	218	178	178	224	225
Total	133	124	135	218	178	178	224	225

Expenditures by Category

Compensation	93	87	98	122	123	124	147	149
Operating Expenses	40	34	38	95	55	54	77	76
Other Financial Transaction		2		1				
Total	133	124	135	218	178	178	224	225

Full-Time Equivalents

	0.86	0.82	0.89	0.88	0.88	0.88	1.13	1.13
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Optometry, Board of

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
1201 - Health Related Boards								
Balance Forward In		21		40				
Direct Appropriation	138	143	174	176	176	176	200	201
Open Appropriation	16							
Cancellations		41						
Balance Forward Out	21		40					
Expenditures	133	124	134	216	176	176	200	201
Biennial Change in Expenditures				93		2		51
Biennial % Change in Expenditures				36		1		15
Governor's Change from Base								49
Governor's % Change from Base								14
Full-Time Equivalents	0.86	0.82	0.89	0.88	0.88	0.88	1.13	1.13

2000 - Restrict Misc Special Revenue

Receipts			2	2	2	2	24	24
Balance Forward Out			0					
Expenditures			2	2	2	2	24	24
Biennial Change in Expenditures				4		0		44
Biennial % Change in Expenditures						9		1,210
Governor's Change from Base								44
Governor's % Change from Base								1,100

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Direct				
Fund: 1201 - Health Related Boards				
FY2019 Appropriations	176	176	176	352
Forecast Base	176	176	176	352
Change Items				
Operating Adjustment		24	25	49
Total Governor's Recommendations	176	200	201	401
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	2	2	2	4
Forecast Base	2	2	2	4
Change Items				
OE Tracker (Optometry Education)		22	22	44
Total Governor's Recommendations	2	24	24	48
Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	2	2	2	4
Change Items				
OE Tracker (Optometry Education)		22	22	44
Total Governor's Recommendations	2	24	24	48
Non-Dedicated				
Fund: 1201 - Health Related Boards				
Forecast Revenues	157	157	157	314
Change Items				
Fee Increase		75	75	150
Total Governor's Recommendations	157	232	232	464

Optometry, Board of

FY 2020-21 Biennial Budget Change Item

Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
State Government Special Revenue Fund				
Expenditures	24	25	25	25
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	24	25	25	25
FTEs	.25	.25	.25	.25

Recommendation:

The Governor recommends \$49,000 from the State Government Special Revenue Fund in the FY 2020-2021 biennium to maintain the current level of service delivery at the Board of Optometry.

Rationale/Background:

Each year, the cost of doing business rises—employer-paid health care contributions, FICA and Medicare, along with other salary and compensation-related costs increase. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year.

Proposal:

The Governor recommends increasing agency operating budgets to maintain the delivery of current services. For the Minnesota Board of Optometry, this funding will cover known employee compensation growth and support for an additional shared staff member shared among three boards and assure contemporary national practice standards. Current staffing is .83 FTE’s and with this increase, three people would total 1.08 FTE’s assigned to various specialty work assignments.

Small Agency Increase:	FY 2020	FY 2021	FY 2022	FY 2023
Salary Increases (Assistant ED)	\$24,000	\$25,000	\$25,000	\$25,000
Total	\$24,000	\$25,000	\$25,000	\$25,000

Equity and Inclusion:

The Board does not discriminate on the basis of race, ethnicity, gender, sexual orientation, or disability. The positive impact of this change will be to continue to provide services for all people of the State of Minnesota without discrimination.

Results:

This proposal is intended to allow the Board to continue to provide current levels of service and information to the public.

<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	88%	93%	FY2017- FY2018
Quality	Percent of initial applications completed online	65%	88%	FY2017- FY2018

Statutory Change(s):

N/A

Change Item Title: Fee Increase

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Special Revenue Fund				
Expenditures	0	0	0	0
Revenues	75	75	75	75
Net Fiscal Impact = (Expenditures – Revenues)	(75)	(75)	(75)	(75)
FTEs	0	0	0	0

Recommendation:

The Governor recommends a fee increase for the Minnesota Board of Optometry. The Board requires both a fee increase to maintain its core functions. The most recent fee increase occurred in 2014. Currently, the Board does not collect fees sufficient to fund budgeted expenses. The Board received an appropriation increase in 2017. However, due to an end of session oversight fee increase language was not included in the bill

This proposal would give the Board authority set fees at an amount ‘not to exceed’ a specified cap, which would allow the Board to manage future budgets.

Rationale/Background:

The Board requires a fee adjustment to eliminate a gap between board-generated revenues and appropriations, as well as to support additional spending for IT expenses, Criminal Background Check operations, and increased expenses related to the Health Professional Services Program and the Administrative Services Unit. Board members carefully monitor both fees and expenses. Statutorily, the Board currently does not meet the required six month reserve.

The proposed fee increase will be a ‘not to exceed’ amount. Each year the Board will approve their fee schedule so as not to build up a large surplus, but to operate within state guidelines of minimum balances. Currently, the board-staffing pattern is with two part time individuals totaling less than one full time equivalent. Rent is the next largest budget item. Most discretionary spending has been eliminated.

Proposal:

The Board shares two staff members with two other agencies to generate operational efficiency. This proposal funds partnerships with other state agencies, which focus on specific administrative tasks. The Criminal Background Check Unit, the Health Professional Services Program, and the Administrative Services Unit are all partners in working with the Board to maximize public safety with efficient and focused services, not achievable by an independent board. The effective implementation date would be July 1, 2019.

The Board:

- Requests to increase the license renewal fee by \$65.00
- Requests to establish a fee for the state jurisprudence examination of \$75.00
- Requests to create a new budget line item for preparing data for public data requests. The fee is currently embedded within the miscellaneous account and the board requests to separate this item and to track it for accounting purposes.

Fees	Units per year	Current Fee	Not to exceed Proposed Fee	Total Revenue FY 2020
Annual License Renewal (increase)	1,100	\$135.00	\$200.00	\$71,500
State Jurisprudence Examination (new)	48	\$0	\$75.00	\$3,600
Miscellaneous to Labels/Data Retrieval	48	\$50.00	\$50.00	-0-
Total				\$75,100

Equity and Inclusion:

The proposal affects all 1,100 licensed optometrists and 48 applicants per year. The Board does not discriminate on the basis of race, ethnicity, gender, sexual orientation, or disability. The positive impact of this change will be to continue to provide services for all people of the State of Minnesota without discrimination.

IT Related Proposals:

N/A

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	88%	93%	FY2017 & FY2018
Quality	Percent of initial applications completed online	65%	88%	FY 2018

Statutory Change(s):

Fees are currently listed in M.S. 148.59

Optometry, Board of

FY 2020-21 Biennial Budget Change Item

Change Item Title: Optometry Education (OE) Tracker

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Other Funds				
Expenditures	22	22	22	22
Revenues	22	22	22	22
Net Fiscal Impact = (Expenditures – Revenues)	0	0	0	0
FTEs	0	0	0	0

Recommendation:

The Governor recommends that the Minnesota Board of Optometry purchase a subscription to the national optometric board’s continuing education database for all Minnesota Optometrists. Currently, 74% of all Minnesota Optometrists self-enroll in the national continuing education database and pay an individual fee of \$25.00 per year. With this request, the Minnesota Board of Optometry would collect and pay the annual subscription, at a discounted payment of \$20.00 for Optometric Doctors (ODs). This fees associated with this proposal will match the registration expense. This will not result in any change in the board’s overall operational budget.

Rationale/Background:

Similar to the current North Dakota model, the Minnesota Board of Optometry would collect a fee for the online continuing education database, which automates continuing education for license renewal. The fee would be collected by the board as part of the annual license renewal and paid to the national clearinghouse; Continuing Optometric Practitioner Education (COPE). With approval, 72% of all Optometrists could save \$5.00 per year. Currently, OE Tracker tracks continuing education for all Minnesota Optometrists. Bill language would allow the Board flexibility to increase the fee at a not to exceed amount as aligned with the cost of the subscription.

COPE collects all approved continuing education attended by ODs throughout the nation and provides an electronic distribution of that data to the Minnesota Board of Optometry. In the past year, ODs using OE Tracker completed the electronic renewal of license averaging less than five minutes.

Proposal:

Fees/Revenue	Units per year	Current Fee	Proposed Fee to Charge FY 2020	Total Revenue FY 2020	Total Revenue FY 2021
Annual OE Tracker Subscription	1,100	\$0.00	\$20.00	\$22,000	22,000

Small Agency Increase:	FY2020	FY2021	FY2022	FY2023
OE Tracker: Subscription Expense	\$22,000	\$22,000	\$22,000	\$22,000
Total	\$22,000	\$22,000	\$22,000	\$22,000

Equity and Inclusion:

The Board does not discriminate on the basis of race, ethnicity, gender, sexual orientation, or disability. The positive impact of this change will be to continue to provide services for all people of the State of Minnesota without discrimination.

Results:

Board members would achieve 100% of auditing all ODs for continuing education requirements.

<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	88%	93%	FY2016 & FY2017
Quality	Percent of initial applications completed online	65%	88%	FY2016 & FY2017

Statutory Change(s):

Fees are currently listed in M.S. 148.59