

West Virginia Board of Optometry Visionary



Special points of interest:

- License Renewal
- Avoiding Patient Complaints
- 2004 License Exam
- CE Approved By the Legislature
- Contact Lens Rx Release
- Disclosing Proprietary Interest
- Expanded Prescriptive Authority
- Posting Announcements

License Renewal Deadline is July 31, 2004

All optometrists' licenses must be renewed by July 31, 2004. Only the Board of Optometry Web Site will be used for the 2004-06 License Renewal. Our Web Site address is www.wvbo.org. Payment may be made credit card or by check.

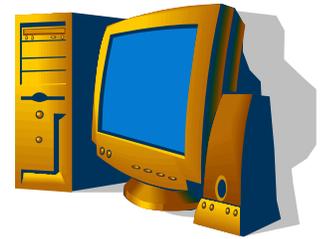
The License Renewal feature was activated on March 1, 2004. Begin to use the site now by taking the steps to update the information contained in your file.

Follow these simple steps to access your information:

- Log onto your Internet browser (often using Internet Explorer).
- Go to www.wvbo.org.
- Select "Licensees."

- Select "On Line Address Change." A screen will appear asking for your "user name" and "password."
- Use the mouse to place the cursor in the field, "New Users Click Here," and click the left mouse button.
- The screen will ask you to enter a "User ID" that you will choose for yourself.
- The screen will also ask you to make up a "Password."
- The site will ask you to select a question. Select a question, and type in the answer.
- Type in your e-mail address.
- The site will ask you to enter

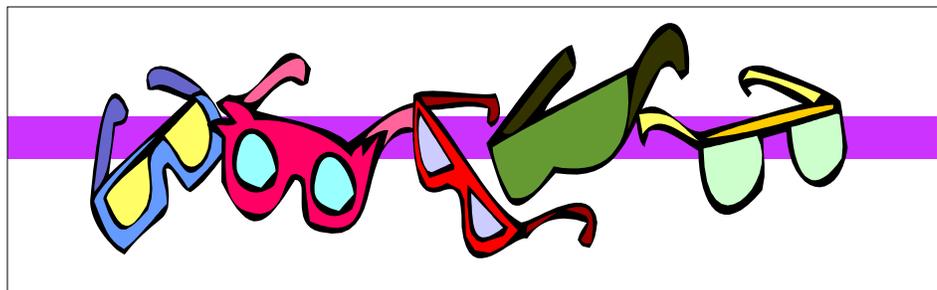
other personal information to verify your identity.



- Place the mouse over "Go."
- You may update your file as appropriate.

Once you have established an account on the site with your user name and password you may use the **License Renewal** tab on the left of the home screen to renew your license.

James Jones, O.D. of Oakland, Maryland has signed a consent decree and paid a fine and administrative fee of \$1300 for not producing proof of his required continuing education hours. All optometrists must retain proof of their CE hours subject to a random audit. This provision is in the WV Code §14-1 posted on our web site.



Tips On Avoiding Complaints

The Board called upon Harry Boggs, O.D., Chairman of the Board's Complaint Committee, to assist the Board with some tips to avoid complaints. Dr. Boggs has been in practice for over 50 years. His office is located in Keyser, West Virginia.

Some tips for avoiding complaints are:

- Have a positive attitude.
- Be polite and caring.
- Manage crises with finesse.
- Make your employees your

"reputation champions."

The Board's complaint files affirm his suggestions. Most complaints result from someone inflicting his or her bad mood on a patient or guardian.

Smile! People will wonder about your good fortune.



West Virginia Optometry License Exam On July 10



The license examination will be given on July 10 at 9:00 a.m. at Glade Springs resort in Daniels, West Virginia near Beckley.

The West Virginia Board of Examiners of Optometry will hold its 2004 license exam on July 10 beginning at 9:00 a.m. at Glade Springs Resort in Daniels, West Virginia. The deadline for applications to be received in the Board office is June 11, 2004.

Daniels is approximately 11 miles from Beckley. There will be a room and meals package available at the resort. Some other hotels and motels available are the Best Western, 304-252-3951, Comfort Inn, 888-259-8542, Days Inn, 800-222-0511 and Hampton Inn 304-353-2121.

The requirements for an application are listed in West Virginia Code, §14-1. Some important requirements to remember are:

- A certified, sealed transcript from the applicant's undergraduate and optometry school must be sent to the Board office.
- The applicant must take and successfully pass the exam from the National Board of Examiners in Optometry (NBEO), Parts I, II, and III. A copy of the exam results must be sent to the Board office.
- Two 2"x2" color photographs must accompany the application.

- The fee for application is \$300.00.

An application may be requested from the Board Office at 1-800-250-4150 or downloaded from the Board's web site, www.wvbo.org. There is a posting of the exam deadline under "Latest News." A copy of §14-1 may be downloaded from the site under "Laws and Regulations Governing Optometry."

Some optometrists are interested in contacting the applicants to seek associates. The Board has relayed messages for them in the

Continuing Education Requirements Passed By the Legislature

The West Virginia Legislature passed the Board's continuing education recommendations.

The requirements are:

- A **minimum** of twelve hours of studying pharmacology or therapeutic courses;
- A **maximum** of six hours of study in practice management;
- A **maximum** of ten hours of optometric study may be taken by correspondence or

via the Internet;

- All continuing education study must be sponsored by one of the organizations listed in subsection 8.4 of this section or pre-approved by the Board as outlined in subsection 14-1-8.6.

Remember that all CE must be COPE approved or be an educational meeting of one of the approved organizations e.g.: West Virginia Optometric Association, Regional Optometric Extension Programs, National

Contact Lens Congress, listed in 14-1-8.4. All other programs must be approved in advance by the Board.

The 40 required hours are to be acquired during each two year renewal period.

The Board has developed a CE Tally Sheet available on our web site, www.wvbo.org, to aid optometrists in keeping track of the CE hours. The sheet will be required to be completed if you are chosen as part of the **random audit** of CE proof of attendance.

A CE Tally Sheet has been developed by the Board to help optometrists record their CE hours.

Go to our web site at www.wvbo.org or call 1-800-450-2150.

Federal Requirement To Release Contact Lens Prescriptions



Effective February 4

The "Fairness to Contact Lens Consumers Act," H.R. 3140, became effective on February 4, 2004. The Federal law requires an optometrist to give a copy of a patient's contact lens prescription to him/her once the contact lenses have been fitted to the patient's eyes. The law also states that a contact lens prescription shall expire not less than one year after the issue

date of the prescription unless sooner for medical reasons to be listed in the patient's medical record.

The Board has answered some questions pertaining to the law posed by optometrists. Yes, you may collect fees for a CTL exam when you are not a participating provider of the patient's insurance. The insurance

company will not pay you, and you are to be paid for your professional services.

Can we collect for the CTL exam at the time of fitting? You can collect the full fee for your eye exam and CTL fitting if this is your usual and customary policy with all patients. It would be helpful if you have a sign posted stating, "Payment for professional

Disclosing Financial Interest

Those of you who subscribe to the Ophthalmology Compliance and Reimbursement Insider [OC&RI] saw an article on disclosing your financial interest in an optical shop, if applicable. The article said that many states may impose discipline penalties on ophthalmologists who refer patients to a particular optical shop in which he or she may have financial interest.

Board staff consulted with the West Virginia Board of Medicine's attorney, Debra Rodecker, Esq., who pointed the staff to West Virginia Code §30-3-14. This section states that the Board of Medicine may

a physician or podiatrist who has committed "unprofessional conduct."

Subsection (7) states, "Unprofessional conduct by any physician ...in referring a patient to any clinical laboratory or pharmacy in which the physician... has a proprietary interest unless the physician... discloses in writing such interest to the patient. The written disclosure shall indicate that the patient may choose any clinical laboratory for purposes of having any laboratory work or assignment performed or any pharmacy for purposes of purchasing a prescribed drug or

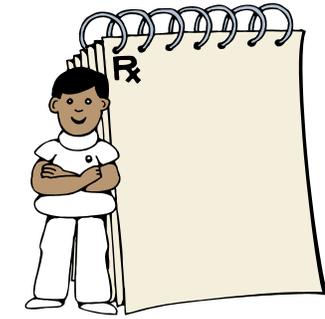
any other medical goods or devices used in connection with medical or other health care services."

West Virginia optometric rules do not currently require disclosure of proprietary interest. The intent of the new contact lens release law and West Virginia ophthalmic rules do point in this direction. The Board has taken not yet taken an official stand on this point .

The model language, if desired, could be printed on back of your prescription form . OC&RI suggests is "John Smith, O.D., owns an interest in XYZ Optical, P.L.L.C., the clinic to which you



may be referred. You may have your prescription filed at XYZ Optical, P.L.L.C., or at any location of your choosing. Our practice will provide you with a list of alternative locations to have your prescription filled. Our practice will not treat you differently if you choose not to go to XYZ Optical."



Best wishes to you.

Four Optometrists Obtain Expanded Prescriptive Authority

Dr. Edward Jagela, Dr. Annette M. Hoover, Dr. Mark Hatfield and Dr. Dale Lilly have been granted expanded prescriptive authority by the Board. New applicants must have pharmacology training and testing by the National Board of Examiners in Optometry in order to be licensed in West Virginia.

Licensed optometrists with prescriptive authority (TPA and DPA) may obtain expanded

prescriptive authority by completing the following steps:

- Pass a minimum advanced clinical system pharmacology course of 30 hours. All courses must have prior approval of the Board. Those who have passed the Board exam from February 1996—present are exempt from taking the 30 hour course, but still must pass the TMOD or

have taken the National Board Exam, Part II since 1993, and

- have on record in the Board office a passing grade on the TMOD, and
- shall send the oral certification fee of \$200 to the Board and proof of \$1,000,000 malpractice insurance coverage.

§14-2, Expanded Prescriptive

Board Posting Policy Contact Lens Rx Release (Continued)

The Board has received requests from licensees for listings of applicants for the Board exam in order to recruit associates. The Board has helped with this search in the past. The Board has decided that this type of information exchange would be best handled by the WVOA. Please direct these types of requests to Roger Price's office at 304-345-4710. Thank you.

Contact Lens Rx Cont'd

Is issue date of the RX the same as exam date? What is the recommended expiration date? **Answer:** The exam date and the CTL Rx date are not the same. The exam date is the date the patient receives a comprehensive eye health examination with refraction in your office, and the CTL issue date occurs after the patient has been successfully fit

with contact lenses and the doctor can write the CTL Rx. The CTL issue date should be at the conclusion of the design, fitting, and management period; this should be within 90 days. The recommended expiration of the CTL Rx is 1 year unless the patient has a health concern that necessitates a shorter expiration date. The reasoning must be documented in your records. (Ex: corneal vascularization or GPC).



The Board answers your questions.



West Virginia Board of Optometry
723 Kanawha Blvd., Suite 804
Charleston, WV 25301
Phone: 304/558-5901
Fax: 304/558-5908
Email: wvbdopt@verizon.net

WVBO has a toll free number in WV!
800/250-4150



WV BOARD OF OPTOMETRY MEMBERS:

- DR. HARRY W. BOGGS
- DR. DOUGLAS L. CONRATH, SECRETARY-TREASURER
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- MR. CRAIG HAMMOND, CONSUMER REPRESENTATIVE
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- MRS. SHARON RUBIN, CONSUMER REPRESENTATIVE
- DR. JACK E. TERRY, PRESIDENT
- MS. PAM CARPER, EXECUTIVE SECRETARY



Change of Address/Name Form

Mail form to: West Virginia Board of Optometry
723 Kanawha Blvd., Suite 804
Charleston, WV 25301

You **MUST** keep this office informed of any address or name changes. Faxed or e-mailed copies are not accepted since we must have your original signature authenticating the change you are wanting us to make to your official records.

CHANGE OF ADDRESS and/or CHANGE OF NAME FORM

NAME OF LICENSEE: _____ DATE OF CHANGE: _____
 WV LICENSE NO. _____ SSN: _____
 NAME CHANGED TO: _____

Please check only one preferred mailing address:

(The preferred mailing address is your address of record and is public information. Telephone numbers are not public information.)

() Principal Office Address

() Home Address

Phone: _____

Phone: _____

Signature: _____ (Original Signature of Licensee is Required)

Fee for Address Change: \$10.00

Fee for Name Change: \$10.00