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**LEGISLATIVE RESEARCH COMMISSION**

State Capitol 700 Capital Avenue Frankfort KY 40601

**502-564-8100**

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**Joshua Watkins**  
Minority Whip

**MEMORANDUM**

TO: Sara Janes, Staff Attorney, Public Protection Cabinet for Board of Ophthalmic Dispensers

FROM: Ange Darnell, Regulations Compiler

RE: Proposed Amendments/New Regulations – 201 KAR 13:010, 201 KAR 13:040, 201 KAR 13:050, 201 KAR 13:055, 201 KAR 013:065, 201 KAR 13:071 & 201 KAR 13:075

DATE: February 12, 2026

A copy of each administrative regulation listed above is enclosed for your files. If these administrative regulations follow the standard KRS Chapter 13A timeline, they would be tentatively scheduled for a full review by the Administrative Regulation Review Subcommittee at its **MAY 2026** meeting.

Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration or a one-month extension request for these regulations would be due **by noon on May 15, 2026**. Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment period and Statements of Consideration.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosures

FILED WITH LRC  
TIME: 1:00pm

FEB 12 2026

*Ange Darnell*

REGULATIONS COMPILER

1 BOARDS AND COMMISSIONS

2 BOARD OF OPHTHALMIC DISPENSERS

3 (Amendment)

4 201 KAR 13:050. Apprentices.

5 RELATES TO: KRS 326.020, 326.035

6 STATUTORY AUTHORITY: KRS 326.020(3), 326.035

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 326.020(3)(a) authorizes the board to  
8 promulgate administrative regulations to carry out the purposes of KRS Chapter 326, including  
9 the licensing of apprentice ophthalmic dispensers. KRS 326.035 requires the board to issue an  
10 apprentice license to any person in training to be an ophthalmic dispenser, under the supervision  
11 of a licensed ophthalmic[~~ophthalmic~~] dispenser, and otherwise qualified pursuant to the adminis-  
12 trative regulations promulgated by the board. This administrative regulation establishes the re-  
13 quirements for an apprentice ophthalmic dispenser.

14 Section 1. Definitions.

15 (1) "Apprentice ophthalmic dispenser" means a person who is in training for the vocation of  
16 ophthalmic dispenser and who dispenses ophthalmic lenses, frames, and appurtenances thereto to  
17 the intended wearer only under the supervision of an ophthalmic dispenser.

18 (2) "Ophthalmic dispenser" means a physician, osteopath, optometrist, or licensed ophthalmic  
19 dispenser licensed pursuant to KRS 326.040 who is sponsoring an apprentice ophthalmic dis-  
20 penser.

21 Section 2.

- 1 (1) An apprentice license shall be required of any person:
- 2 (a) Who is not a licensed ophthalmic dispenser, but is in training to be an ophthalmic dis-  
3 pender;
- 4 (b) While in training works under the supervision of a licensed ophthalmic dispenser; and
- 5 (c) Whose duties require that he or she perform the services as would be normally per-  
6 formed by a licensed ophthalmic dispenser.
- 7 (2) The board shall revoke the apprentice license at any time if either the employer, the ap-  
8 prentice sponsor, or the apprentice fail to carry out the provisions of this administrative regula-  
9 tion.
- 10 (3) A licensed apprentice ophthalmic dispenser shall at all times work under the supervision  
11 of, and in the same establishment with, an ophthalmic dispenser, and the ophthalmic dispenser  
12 shall be responsible for the actions of the apprentice.
- 13 (4) The board shall issue an apprentice license for a period ending December 31 of the current  
14 year, upon receipt and board approval of the required application and a fee of fifty (50) dollars,  
15 as required by 201 KAR 13:040.
- 16 (5) If the apprentice's employment under the sponsoring ophthalmic dispenser is terminated  
17 for any reason, or the apprentice's sponsor changes, the board shall be notified immediately in  
18 writing and no later than thirty (30) days of the last day of employment, utilizing the "Apprentice  
19 Change of Sponsor Form", DPL-BOD-07. An apprentice ophthalmic dispenser who fails to time-  
20 ly notify the board of termination of employment or a change in sponsor shall be subject to dis-  
21 ciplinary action under KRS 326.090(1)(i).
- 22 (6) A sponsor may terminate or remove an apprentice from sponsorship by utilizing the  
23 "Sponsor Removal of Apprentice Form", DPL-BOD-08.

1       (7) The board may reject the application for an apprentice license or rescind a license already  
2 issued if, upon inspection, it is found that any of the requirements for an apprentice license in  
3 KRS 326.035 or any administrative regulations in 201 KAR Chapter 13 not specifically exclud-  
4 ing apprentice licenses are being violated.

5       Section 3.

6       (1) An apprentice ophthalmic dispenser shall train for the vocation of ophthalmic dispenser and  
7 demonstrate progress toward an ophthalmic dispenser license to the board by submitting to the  
8 board:

9       (a) Proof of the completed training schedule consistent with KRS 326.035(5) no later than twelve  
10       (12) months from the date that the apprentice ophthalmic dispenser license is issued;

11       (b) Proof of a passing grade on the American Board of Opticians (ABO) Basic Examination and  
12 the National Contact Lens Examiners (NCLE) Basic Examination no later than thirty-six (36)  
13 months from the date that the apprentice ophthalmic dispenser license is issued; and

14       (c) Proof of a passing grade on an approved practical examination no later than five (5) years  
15 from the date that the apprentice ophthalmic dispenser license is issued.

16       (2) An apprentice ophthalmic dispenser who fails to meet the requirements established in subsec-  
17 tion (1) of this section shall not have the apprentice license renewed by the board.

18       (3) A licensee may request an extension of time in which to complete the requirements estab-  
19 lished in subsection (1) of this section by submitting a request to the board, in writing, no fewer  
20 than sixty (60) days before expiration of the applicable due date. The board may allow an exten-  
21 sion of time for any applicant demonstrating a need based on medical necessity, family related  
22 health emergency, or military service.

23       Section 4. Incorporation by Reference.

1 (1) The following material is incorporated by reference:

2 (a) “Apprentice Change of Sponsor Form”, DPL-BOD-07, December 2025; and

3 (b) “Sponsor Removal of Apprentice Form”, DPL-BOD-08, December 2025.

4 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law,

5 at the Board of Ophthalmic Dispensers, 500 Mero Street, Frankfort, Kentucky 40601, Monday

6 through Friday, 8 a.m. to 4:30 p.m. and is available on the board’s website at [bod.ky.gov](http://bod.ky.gov).

201 KAR 13:050

APPROVED BY AGENCY:



Curt Duff  
Chair, Board of Ophthalmic Dispensers

Date: February 11, 2026

## PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on Tuesday, April 21, 2026, at 2:00 PM, Eastern Time, at the Mayo-Underwood Building, Room 127CW, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through April 30, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person by using the PPC public comment portal at the address listed below.

### CONTACT PERSON:

Name: Sara Boswell Janes

Title: Staff Attorney III

Agency: Department of Professional Licensing, Office of Legal Services

Address: 500 Mero Street, 2 NC WK#2

Phone Number: (502) 782-2709 (office)

Fax: (502) 564-4818

Email: Sara.Janes@ky.gov

Link to PPC public comment portal: [https://ppc.ky.gov/reg\\_comment.aspx](https://ppc.ky.gov/reg_comment.aspx)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 13:050  
Contact Person: Sara Boswell Janes  
Phone Number: (502) 782-5245 (office)  
Email: sara.janes@ky.gov

Subject Headings: Ophthalmic Dispensing, Licensing, Occupations and Professions

- (1) Provide a brief summary of:
  - (a) What this administrative regulation does: This administrative regulation establishes the requirements for licensure as an apprentice ophthalmic dispenser.
  - (b) The necessity of this administrative regulation: This administrative regulation is necessary to advise the public, licensees, and applicants of the requirements for licensure as an apprentice ophthalmic dispenser, including fees, experience, and examinations.
  - (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 326.020 gives the board the authority to promulgate regulations regarding the requirements for licensure.
  - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation establishes specific requirements for people seeking licensure as apprentice ophthalmic dispensers, facilitating compliance with KRS Chapter 326.
- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
  - (a) How the amendment will change this existing administrative regulation: The amendment will make a technical correction to correct spelling; add a requirement for board notification of sponsor changes by the apprentice; authorize a sponsor to terminate a sponsorship; and add material incorporated by reference for sponsor changes.
  - (b) The necessity of the amendment to this administrative regulation: The amendment is necessary to clarify the process and incorporate forms that are used by the Board for the effective administration of licensees.
  - (c) How the amendment conforms to the content of the authorizing statutes: The amendment to this administrative regulation is in conformity with the authorizing statute that gives the board the ability to promulgate regulations related to enforcement of KRS 326.010 through 326.990.
  - (d) How the amendment will assist in the effective administration of the statutes: The amendment will provide licensees with a more clarified process to change or terminate a sponsor and with the correct material to effectuate a change in the sponsor of an apprentice ophthalmic dispenser.
- (3) Does this administrative regulation or amendment implement legislation from the previous five years? No.
- (4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: There are approximately 527 licensed ophthalmic

dispensers and 174 licensed apprentice ophthalmic dispensers who will be affected by this administrative regulation.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: The apprentice ophthalmic dispenser will file the Apprentice Change of Sponsor Form”, DPL-BOD-08 to change sponsors and a sponsor will also have the ability to remove an apprentice ophthalmic dispenser by using the “Sponsor Removal of Apprentice Form”, DPL-BOD-08.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no cost associated with the amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The required forms will be incorporated with the applicable regulation in compliance with KRS Chapter 13A.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No new costs will be incurred by the changes.

(b) On a continuing basis: No new costs will be incurred by the changes.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The board’s operations are funded by fees paid by credential holders and applicants.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no new fees necessary to implement this administrative regulations.

(9) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The amendment to this administrative regulation does not establish or directly or indirectly increases fees.

(10) TIERING: Is tiering applied? (Explain why or why not): This regulation does not distinguish between similarly situated individuals on the basis of any factor.

## FISCAL IMPACT STATEMENT

Regulation No. 201 KAR 13:050

Contact Person: Sara Boswell Janes

Phone Number: (502) 782-2709 (office)

Email: sara.janes@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 326.020(3) and 326.040.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: KRS 326.020(3) gives the board the authority to promulgate regulations regarding the requirements for licensure.

(3) (a) Identify the promulgating agency and any other affected state units, parts, or divisions: The Kentucky Board of Ophthalmic Dispensers is the promulgating agency and the only affected state unit, part, or division.

(b) Estimate the following for each affected state, unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: None.

For subsequent years: None.

2. Revenues:

For the first year: None.

For subsequent years: None.

3. Cost Savings:

For the first year: None.

For subsequent years: None.

(4) (a) Identify affected local entities (for example: cities, counties, fire departments, school districts): None anticipated.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(5) (a) Identify additional regulated entities not listed in questions (3)(a) or (4)(a): There are no other regulated entities not otherwise listed.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: This administrative regulation will not generate revenue for state or local government

(b) Methodology and resources used to determine the fiscal impact: The board requested its fiscal administrator provide a budget analysis to determine if this administrative regulation will generate revenue for the Board and it determined it will not.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate). This administrative regulation will not have an overall negative or adverse major economic impact.

(b) The methodology and resources used to reach this conclusion: Methodology and resources was a review of the existing budget by the board's fiscal administrator as well as consideration of the amendment and whether staff time and costs will be increased.

SUMMARY OF MATERIALS INCORPORATED BY REFERENCE  
201 KAR 13:050

There were no materials incorporated by reference.

SUMMARY OF CHANGES TO MATERIALS INCORPORATED BY REFERENCE  
201 KAR 13:050

The following materials are now incorporated by reference:

- (a) "Apprentice Change of Sponsor Form", DPL-BOD-08, December 2025, consisting of one (1) page, is the form to be used for an apprentice ophthalmic dispenser to change the sponsor; and
- (b) "Sponsor Removal of Apprentice Form", DPL-BOD-08, December 2025, consisting of one (1) page, is the form to be used for an ophthalmic dispenser sponsor to terminate or remove an apprentice under supervision.

FILED: FEBRUARY 11, 2026



## KENTUCKY BOARD OF OPHTHALMIC DISPENSERS

PUBLIC PROTECTION CABINET – DEPARTMENT OF PROFESSIONAL LICENSING

P.O. Box 1360, Frankfort, Kentucky 40602

500 Mero Street Frankfort, Kentucky 40601 (Overnight Delivery Only)

Phone: (502) 782.8810 | Fax: (502) 564.4818 | Website: [bod.ky.gov](http://bod.ky.gov) | Email: [BOD@KY.GOV](mailto:BOD@KY.GOV)

### APPRENTICE CHANGE OF SPONSOR FORM

Pursuant to KRS 326.035(5), an apprentice training schedule and overview of the facilities located at the establishment shall be filed with the Kentucky Board of Ophthalmic Dispensers. This training schedule program shall be designed to encourage apprenticeship training and the development of highly skilled and well-qualified ophthalmic dispensers. KRS 326.035(7) limits the number of apprentices to no more than two (2) apprentices to each active registered Ophthalmic Dispenser in each establishment.

#### APPRENTICE INFORMATION

Last Name:	First Name:	Middle Initial:	Previous Name:
Mailing Address: Street	City:	State:	Zip Code:
Business Name:		Business Address:	
Telephone Number: ( )	Email Address:	License Number:	
Name of licensed Ophthalmic Dispenser under whom you will receive your training:			License #:
Is your sponsor the Owner <input type="checkbox"/> Manager <input type="checkbox"/> Employee <input type="checkbox"/> of the company where you will be working?			
Will your work be ophthalmic dispensing under the direct supervision of a licensed Ophthalmic Dispenser? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach explanation.			
Name of Previous Sponsor:			
Last Date of Current Sponsorship:		Effective Date of New Sponsorship:	
Apprentice Signature (Required) :			Date:

#### SPONSORSHIP AFFIDAVIT

I, the sponsor of record for the above-named apprentice, do hereby certify under penalty of law, that the information contained herein is true, correct, and complete to the best of my knowledge and belief. Further, I accept full responsibility for training the above-named apprentice according to the training schedule (attached) and to encourage the completion of the ABO and NCLE within the two-year apprenticeship term. If, for any reason, the conditions of this supervisory relationship is terminated or changed, I will immediately notify the Board. Further, I do hereby certify that my Kentucky license is current and will be maintained throughout this period.

Sponsor Last Name:	First Name:	Middle Initial:	Previous Name:
Mailing Address: Street	City:	State:	Zip Code:
Business Name:		Business Address:	
Telephone Number: ( )	Email Address:	License Number:	
Are you currently sponsoring another apprentice? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please list name and license #:			
<b>*AN OUTLINE OF THE TRAINING SCHEDULE AND AN OVERVIEW OF FACILITIES LOCATED AT THE ESTABLISHMENT MUST BE PREPARED BY THE SPONSOR AND FILED WITH THE BOARD WITH THIS FORM.</b>			
Ophthalmic Dispense Sponsor Signature (Required) :			Date:



### KENTUCKY BOARD OF OPHTHALMIC DISPENSERS

PUBLIC PROTECTION CABINET – DEPARTMENT OF PROFESSIONAL LICENSING

P.O. Box 1360, Frankfort, Kentucky 40602

500 Mero Street 25C32 Frankfort, Kentucky 40601 (Overnight Delivery Only)

Phone: (502) 782.8810 | Fax: (502) 564.4818 | Website: [bod.ky.gov](http://bod.ky.gov) | Email: [BOD@KY.GOV](mailto:BOD@KY.GOV)

### SPONSOR REMOVAL OF APPRENTICE FORM

If you wish to terminate or remove an apprentice ophthalmic dispenser under your supervision pursuant to KRS 326.035, you must complete this form. **NOTE: An Ophthalmic Dispenser is limited to not more than two (2) apprentices in each establishment.**

**\*\*Note: If you are an apprentice trying to update your Sponsor information, please complete the "Apprentice Change of Sponsor" Form, DPL-BOD-07. \*\***

#### SPONSOR INFORMATION

Last Name:		First Name:		Middle Initial:	Previous Name:
Mailing Address: Street		City:		State:	Zip Code:
Business Name:			Business Address:		
Telephone Number: ( )		Email Address:		License Number:	
Name of Apprentice to be removed from your license:			Apprentice License #:		Last Date of Sponsorship:

I, the Ophthalmic Dispenser Sponsor named in the above, do hereby certify under penalty of law that the information contained herein is true, correct, and complete to the best of my knowledge and belief. Further, it is my intent to terminate or remove the named Apprentice from my sponsorship.

Ophthalmic Dispense Sponsor Signature (Required) :	Date:
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