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**LEGISLATIVE RESEARCH COMMISSION**

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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

3 201 KAR 13:055. Continuing education requirements.

4 RELATES TO: KRS 326.020, 326.035, 326.080

5 STATUTORY AUTHORITY: KRS 326.020(3)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 326.020(3)(a) authorizes the board to  
7 promulgate administrative regulations to carry out the purposes and provisions of KRS Chapter  
8 326, including the adoption of a program of continuing education for all licensees. KRS  
9 326.020(3)(b) requires licensees of the board to complete continuing education as a condition of  
10 license renewal. This administrative regulation establishes a continuing education program for  
11 ophthalmic dispenser licensees and apprentice ophthalmic dispenser licensees and the basic re-  
12 quirements, methods of accreditation, and manner of reporting.

13 Section 1. "Continuing education hour" means fifty (50) minutes of participating in continuing  
14 education experiences in person before a live presenter. One (1) semester credit hour is equiva-  
15 lent to six (6) continuing education hours.

16 Section 2. Continuing education hours in excess of the number required at the time of renewal of  
17 license shall not be applied to future requirements.

18 Section 3.

19 (1) A minimum of three (3) of the required six (6) continuing education hours for renewal of  
20 ophthalmic dispenser licensure and a minimum of two (2) of the required four (4) continuing ed-  
21 ucation hours for renewal of apprentice ophthalmic dispenser licensure shall be obtained through

1 programs sponsored by entities listed in Section 4(1) of this administrative regulation.

2 (2) Repetitious completion of a program shall not entitle the participant to additional continuing  
3 education credit.

4 (3) Licenses issued after August 1 shall be exempt from the continuing education requirement for  
5 renewal by December 31 of the same year.

6 Section 4. Continuing education hours applicable to renewal of licensure shall be directly related  
7 to the professional growth and development of ophthalmic dispensers. They may be earned by  
8 completing any of the following educational activities:

9 (1) An educational program from any of the following providers shall be deemed relevant to  
10 ophthalmic dispensing and shall be approved without further review by the board:

11 (a) The Opticians Association of Kentucky and the Society of Dispensing Opticians of Ken-  
12 tucky;

13 (b) The United Opticians Association [~~Opticians Association of America~~], or any of its affiliated  
14 state chapters;

15 (c) The Contact Lens Society of America, or any of its affiliated state chapters;

16 (d) The National Academy of Opticianry[~~Opticianry~~], or any of its affiliated state chapters;

17 (e) The American Optometric Association, or any of its affiliated state chapters; or

18 (f) The American Academy of Ophthalmology, or any of its affiliated state chapters. [~~or~~]

19 [~~(g) The National Association of Optometrists and Opticians.~~]

20 (2) An educational program from any other source shall be reviewed for relevancy to ophthalmic  
21 dispensing and subsequent approval by the board.

22 (a) Programs shall be submitted to the board for review and approval at least thirty (30) days pri-  
23 or to planned participation so the participants can know the value of the experience prior to actu-

1 al participation.

2 (b) Requests for program changes shall be made to and accredited by the board or the evaluation  
3 and accreditation of the program becomes null and void.

4 (c) Sponsors shall maintain for three (3) years records of the names of those participants who  
5 complete a program.

6 (3) Related areas not specifically a part of the field of ophthalmic dispensing may be approved  
7 for up to two (2) continuing education hours, if the board believes that the related areas may  
8 serve to enhance the licensee's ability to practice.

9 Section 5. Sponsors and licensees requesting approval of continuing education for ophthalmic  
10 dispensers shall submit any relevant information reasonably requested by the board.

11 Section 6. Submission of fraudulent statements or certificates concerning continuing education  
12 shall subject the licensee to revocation or suspension of his or her license as provided in KRS  
13 Chapter 326.

14 Section 7. Each licensee shall submit, with the annual renewal application, on forms provided by  
15 the board, a list of accredited continuing education hours completed by the licensee during the  
16 previous license year.

17 Section 8.

18 (1) Each person registered with the board shall retain proof of attendance and completion of all  
19 continuing education requirements for a period of three (3) years from the end of the calendar  
20 year in which the continuing education was acquired.

21 (2) The board shall annually conduct a randomly selected audit of individual records to assure  
22 that the continuing education requirements have been met. Audited individuals shall submit:

23 (a) Certificates verifying the individual's attendance at the continuing education programs de-

1 scribed above; or

2 (b) An official transcript verifying credit hours earned.

3 Section 9. Upon proper application to the board, a licensee may be granted a deferral from con-  
4 tinuing education requirements on a year-to-year basis at the discretion of the board for reasons  
5 of illness, incapacity, or other similar extenuating circumstances.

6 Section 10. Each licensee shall keep the board informed of his or her correct address and place of  
7 employment. The board shall be informed in writing of any changes to the licensee's address or  
8 place of employment.

9 Section 11. Incorporation by Reference.

10 (1) "Application for Continuing Education Credit", DPL-BOD-09, December 2025, is in-  
11 corporated by reference.

12 (2) This material may be inspected, copied, or obtained, subject to applicable copyright  
13 law, at the Board of Ophthalmic Dispensers, 500 Mero St, Frankfort, Kentucky 40601, Monday  
14 through Friday, 8 a.m. to 4:00 p.m. This material is also available on the board's website at  
15 www.bod.ky.gov.

201 KAR 13:055

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 13:055  
Contact Person: Sara Boswell Janes  
Phone Number: (502) 782-5245 (office)  
Email: sara.janes@ky.gov

Subject Headings: Ophthalmic Dispensing, Education Professional Standards, Licensing, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation defines and establishes the continuing education requirements for renewal of a license as a licensed ophthalmic dispenser or a licensed apprentice ophthalmic dispenser

(b) The necessity of this administrative regulation: This administrative regulation is necessary to advise the public, licensees, and applicants of the continuing education requirements for licensure renewal

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity as KRS 326.020 authorizes the board 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 regulation establishes the continuing education requirements for renewal of a license, assisting in the effective administration of 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 adds the Opticians Association of Kentucky, removes the Opticians Association of America as an approved CE provider since it no longer exists and adds a new organization, the United Opticians of America, as an approved CE provider; removes the National Association of Optometrists and Opticians as an approved CE provider as it also no longer exists; makes technical corrections in other parts of the administrative regulation for accuracy; and, adds the CEU form as material incorporated by reference.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to clarify approved programs for continuing education and to remove the organizations that no longer exist.

(c) How the amendment conforms to the content of the authorizing statutes: This amendment conforms to the content of the authorizing statutes because the statutes allow the Board to approve accepted forms of continuing education.

(d) How the amendment will assist in the effective administration of the statutes: This regulation establishes the requirements for continuing education and the amendment modifies same to eliminate confusion regarding approved providers.

(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: Regulated entities will not need to take additional action to comply with this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): There will be no additional cost to regulated entities as a result of this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Licensees will have a simplified process for obtaining continuing education in order to renew their license.

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

(a) Initially: No cost is anticipated to implement this administrative regulation.

(b) On a continuing basis: No cost is anticipated to implement this administrative regulation.

(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: This amendment does not establish or increase fees directly or indirectly

(10) TIERING: Is tiering applied? (Explain why or why not): Tiering was not applied as the amended regulation is applicable to all licensees.

## FISCAL IMPACT STATEMENT

Regulation No. 201 KAR 13:055  
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).

(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: 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 or have a fiscal impact on 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 13:040

There were no materials incorporated by reference.

SUMMARY OF CHANGES TO MATERIALS INCORPORATED BY REFERENCE  
201 KAR 13:040

The following materials are now incorporated by reference:

(1) "Application for Continuing Education Credit", DPL-BOD-09, December 2025, consisting of one (1) page, is incorporated by reference.

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)

### APPLICATION FOR CONTINUING EDUCATION CREDIT

(Must be submitted thirty (30) days prior to program presentation.)

Spectacle

Contact Lens

Both

#### PROVIDER INFORMATION

Name of Sponsoring Organization:

Name of Program Director:

Work Phone:

Address of Program Director:

Date of Program:

Time:

Program Location (hotel, school, etc.):

Program Location address:

Course Topic:

Course Title:

Method of Presentation (panel, lecture, other/elaborate):

Is there a co-sponsor to the program? Yes  No  If yes, please list name and address:

Fee to members/employees: \$

Fee to non-members/non-employees: \$

Is the course open to non-members? Yes  No  If yes, how are non-members notified?

Number of hours requesting for continuing education credit:

You must attach a complete proposed outline for the program for which you are requesting continuing education credit.

You must attach the credentials for the speaker and course objectives.

Is this course sponsored by a specific product? Yes  No  If yes, please explain.

**Please note: Courses sponsored or produced by vendors for specific products will not be approved.**

#### FOR BOARD USE ONLY

DATE REVIEWED: \_\_\_\_\_ NUMBER OF HOURS APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_

REASON FOR DISAPPROVAL: \_\_\_\_\_

BOARD MEMBER INITIALS: \_\_\_\_\_