

FLORIDA JURISPRUDENCE FOR OPTOMETRY

Alice Sterling, O.D.

Course Description: This course will review the governing statutes and rules that regulate the practice of optometry in the State of Florida. The two hour presentation will meet the requirements for the Florida Jurisprudence continuing education.

Course Outline:

- I. Explanation of organizations related to optometric interests
 - a) Florida legislators
 - 1) Optometry is a legislated profession
 - 2) Control of Statutes (laws) – F.S.
 - a) Chapter 463 – Optometry Practice Act
 - b) Chapter 456 – Health Professions and Occupations
 - c) Chapter 408 – Health Care Administration
 - d) Chapter 120 – Administrative Procedure Act
 - e) Chapter 119 – Public Records
 - f) Chapter 112 – Public Officers and Employees
 - g) Chapter 456 – Pharmacy
 - b) Florida Board of Optometry
 - 1) Appointed by Governor
 - 2) Commissioned to protect the citizens of Florida
 - 3) Control of Administrative Codes (rules) – 64B-13 F.A.C.
 - 4) Operates “in the sunshine”
 - c) Florida Optometric Association
 - 1) Organized professional interest group
 - 2) Dues paying members with elected board and executive office staff
 - 3) Protects and strengthens the interests of optometrists in Florida
 - 4) Affiliate of the American Optometric Association
 - d) Association of Regional Boards of Optometry (ARBO)
 - 1) Voluntary participation of each State Board of Optometry
 - 2) Develop programs that may be helpful to state boards

II. Review of Statutes

- a) 463.001 Purpose and intent
- b) 463.002 Definition
- c) 463.003 Board of Optometry
- d) 463.004 Board headquarters
- e) 463.005 Authority of the Board
- f) 463.0055 Ocular pharmaceutical agents
- g) 463.0057 Faculty certificate
- h) 463.006 Licensure and certification
- i) 463.007 Renewal of license, CE
- j) 463.008 Inactive status
- k) 463.009 Supportive personnel
- l) 463.011 Exhibition of license
- m) 463.012 Prescription
- n) 463.013 Services for certain public agencies
- o) 463.0135 Standards of practice
- p) 463.014 Certain acts prohibited
- q) 463.0141 Reports of adverse incidents
- r) 463.015 Violations and penalties
- s) 463.016 Grounds for disciplinary action
- t) 463.018 Reciprocity

III. Review of Rules

- a) 64B-13 Organization, purpose, meetings, PCP, procedures
- b) 64B-13 Standards of practice
- c) 64B-13 Examination and application for licensure
- d) 64B-13 Continuing education
- e) 64B-13 Fees
- f) 64B-13 Probation guidelines
- g) 64B-13 Certified optometrist
- h) 64B-13 Inactive status
- i) 64B-13 Discipline
- j) 64B-13 Branch Offices
- k) 64B-13 Topical ocular pharmaceutical agents

IV. Review of Statute 456

- a) Only reviewing items that have changed that have applications to 64B-13
- b) Laws that frequently lead to action among all health care professions.

- V. Review of recent changes in laws/rules
 - a) opioid course
 - b) online courses
 - 1. Opioid course
 - 2. Practice Management
 - 3. Oral Drugs course
 - 4. Human Trafficking
 - c) drug approval
 - 1. new process to approve topical
 - 2. recent additions
 - d) application for licensing time frame
 - e) NBEO
 - f) emergency ruling for COVID
 - g) Human Trafficking
 - h) license renewal
 - i) JP course changes
 - 1. Out of state licensees
 - 2. Attending board meeting

- VI. Filing Complaints
 - a) Who can file
 - 1) Patient
 - 2) Optometrist
 - 3) Another healthcare professional
 - 4) Any citizen
 - b) Time limitations
 - c) Flow chart
 - d) Public information
 - e) Probable cause panel
 - f) Types of complaints
 - 1) Advertising
 - 2) Recording errors
 - 3) Scope of practice
 - 4) Inappropriate behavior
 - 5) Not fees, not personality
 - g) Citations
 - h) Penalties

- VII. Tutorial on Finding Information of DOH/Board of Optometry Website
- a) Switch to internet access/invite attendees to use their own devices to follow
 - b) Review the following items accessible from home page
 - 1. Posts of latest news
 - 2. Renewing license
 - 3. Meeting announcements
 - 4. Meeting agendas
 - 5. Meeting transcripts
 - 6. Board and DOH staff information and contact
 - 7. Filing a complaint
 - 8. Resources for
 - i. Statutes and Codes
 - ii. Associations and organizations
 - iii. Forms and requests
 - iv. Drafts and updates
 - v. Media and publications

- VIII. Questions from the Attendees