

THE FLORIDA BOARD OF OPTOMETRY

ANNUAL REGULATORY PLAN 2020-2021

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes*. The Plan covers the period beginning October 1, 2020 and ending September 30, 2021.

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2020 Legislative Session which creates or modifies the duties or authority of the Board of Optometry. §120.74(1)(a), Fla. Stat.

Law Enacted or Modified on or after Oct. 1, 2019	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
Ch. 2020-076, Laws of Fla. Eff. July 1, 2020 (SB 1084 – Emotional Support Animals)	Modified §456.072, Fla. Stat.	<u>64B13-15.005</u> , F.A.C. <u>64B13-15.006</u> , F.A.C.				In addition to implementing provisions of SB 1084, the Board proposes amendments to existing guidelines.

Ch. 2020-125, Laws of Florida, Effective July 1, 2020 (HB 115)	Created §120.82, F.S.; Modified §456.0635, F.S., §456.072, F.S., and §456.074, F.S.; and Repealed §456.0721, F.S.	<u>64B13-15005</u> , F.A.C.	Yes	No	October 2020	
Ch. 2020-133, Laws of Fla. Eff. July 1, 2020 (HB 713 – Health Regulations)	Repealed §456.0721, Fla. Stat. Also modified §456.013, Fla. Stat.	<u>64B13-4.004</u> , F.A.C. <u>64B13-4.007</u> , F.A.C.	Yes	August 2020 August 2020	September 2020 September 2020	

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Optometry intends to implement through rulemaking by July 1, 2020, that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2021. §120.74(1)(b), Fla. Stat.

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
64B13-4.004, F.A.C. (Applications)	§§456.013, and 463.006, F.S.	Clarify, Simplify, Increase Efficiency
64B13-4.007, F.A.C., (Optometry Faculty Certificate)	§§456.013, and 463.0057, F.S.	Clarify, Simplify, Increase Efficiency
64B13-15.005, F.A.C., (Designation of Administrative Violations; Major; Minor)	§§456.072, and 463.016, F.S.	Clarify
64B13-15.006, F.A.C. (Designation of Patient Care Violations; Major; Minor)	§456.072 and 463.016, F.S.	Clarify
64B13-4.001, F.A.C. (Examination Requirements)	§456.013, F.S., §463.006, F.S., §463.017, F.S.	Clarify, Simplify, Increase Efficiency
64B13-5.001, F.A.C. (Hours Requirement)	§456.013, F.S., §456.0301, F.S. §463.005, F.S., §463.007, F.S.	Clarify, Simplify
64B13-18.002, F.A.C. (Formulary of Topical Ocular Pharmaceutical Agents)	§463.0055, F.S.,	Clarify

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan addresses whether there are any updates to the prior year's regulatory plan. §120.74(c), Fla. Stat.

- There are not any updates to the prior year's annual regulatory plan.

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat.

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Optometry regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 31st day of August, 2020.

/S/ Stuart Kaplan, O.D.

Electronic Signature

Stuart Kaplan, O.D.

Chair of the Board of Optometry

August 31, 2020

Date Signed

/S/ Deborah Bartholow Loucks

Electronic Signature

Deborah Bartholow Loucks

Senior Assistant Attorney General

Counsel to the Board of Optometry

August 31, 2020

Date Signed