

THE FLORIDA BOARD OF OPTOMETRY

ANNUAL REGULATORY PLAN 2018-19

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2018). The Plan covers the period beginning October 1, 2018 and ending September 30, 2019.

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2018 Legislative Session which creates or modifies the duties or authority of the Board of Optometry. §120.74(1)(a), Fla. Stat. (2018).

Law Enacted or Modified on or after Oct. 1, 2016	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
Chapter 2018-79, Laws of Florida, Section (1).	463.006, F.S.	64B13-4. 001, F.A.C. (Examination Requirements) 64B13-4.004, F.A.C. (Manner of Application)	Yes	30 March 2018	19 July 2018	
Chapter 2018-13, Laws of Florida, Section (1)	456.0301, F.S.	64B13-5.001, F.A.C. (Hours Requirement)	Yes	30 March 2018	1 August 2018	

Chapter 2018-13, Laws of Florida Section (2)	456.072(1)(gg), F.S.	64B13-15.004, F.A.C. (Range of Penalties for Patient Care Violations) 64B13-15.006, F.A.C. (Designation of Patient Care Violations; Major; Minor)	Yes	19 July 2018	3 August 2018	
Chapter 2018-13, Laws of Florida Section (3)	456.44(4), F.S.	64B13-3.100, F.A.C. (Standards of Practice for Controlled Substances Prescribing)	Yes	9 August 2018		
Chapter 2018-13, Laws of Florida Section (7)	456.0276(2)(d)1., F.S.	64B13-15.005, F.A.C. (Designation of Administrative Violations; Major; Minor)	Yes	19 July 2018	3 August 2018	
Chapter 2018-13, Laws of Florida Section (10)	893.055, F.S.	64B13-15.005, F.A.C. (Designation of Administrative Violations; Major; Minor)	Yes	19 July 2018	3 August 2018	

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, 2019 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, 2019. §120.74(1)(b), Fla. Stat. (2018).

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
64B13-4.001, F.A.C. (Examination Requirements)	§§456.017, 463.006, F.S.	Clarify, Simplify, Increase Efficiency
64B13-4.005, F.A.C. (Criteria for Selection of Consultants)	§456.017, F.S.	Clarify, Simplify, Increase Efficiency
64B13-5.001, F.A.C. (Hours Requirement)	§§456.013, 463.007, F.S.	Simplify, Increase Efficiency
64B13-5.002, F.A.C. (Criteria for Approval)	§456.017, F.S.	Simplify, Increase Efficiency
64B13-18.002, F.A.C. (Formulary of Topical Ocular Pharmaceutical Agents)	463.0055, F.S.	Increase Efficiency

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat. (2018).

There are no updates to the prior year's annual regulatory plan.

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2018)

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 30th day of June 2015 with continuing board review through July 2018.

s/ Stuart Kaplan
Stuart Kaplan, O.D.
Chair of the Board of Optometry

30 Aug 2018
Date Signed

s/ Lawrence Harris
Lawrence D. Harris, Jr.
Assistant Attorney General
Counsel to the Board of Optometry

30 Aug 2018
Date Signed