

NEWSLETTER

Opticians

Secretary of State, Office of Professional Regulation

Topics in this newsletter include: Advisors/Director's Report, the new licensing system (eLicense), Online Renewals, Changes in Legislation (2009 and 2010); Continuing Education Requirements, and so on.

Advisors

The names of the Advisors for your profession and their term expiration dates are listed below.

Dale R. Davenport, Wallingford, Vermont (12/09); and

Daniel M. Thomas, Burlington, Vermont (04/13)

If you are interested in becoming an Advisor, please contact the Director or the Secretary of State. 802-828-2363

Director

Christopher D. Winters, Esq. is the Director of the Office of Professional Regulation

Staff

Kristy Kemp is the Administrative Assistant. Ms. Kemp may be reached at (802) 828-2373; Fax: (802) 828-2465; or via E-Mail at: kkemp@sec.state.vt.us

Our Web site is:

www.vtprofessionals.org

Carla Preston is the Unit Administrator. You may reach Ms. Preston at (802) 828-2875; Fax: (802) 828-2465; or via E-mail: cpreston@sec.state.vt.us

Larry S. Novins serves as the profession's Counsel.

Advisors' Report

The Advisors would first like to thank all the staff and personnel at OPR for their efforts in putting together this newsletter. We are also thankful for all the revisions and additions to the web site to make general information about Opticians and renewals available online. This is going to make the license renewal process much more convenient for all of us.

The Advisors typically meet three times a year but we accomplish a lot of work via phone, mail and email in between those meetings. We have made efforts to streamline the application and renewal process, and improve upon the information provided to licensees, trainees, and supervisors of trainees. If you have questions or concerns you would like addressed, please send them to the Office. The next meeting is tentatively planned for October 13, 2010. Please contact the Office for verification and specific details.

For your information we currently

have 104 Active Opticians (90 Resident; 14 Non-Resident) and 28 Optician Trainees (27 Resident; 1 Non-Resident). We are pleased to see our numbers growing!

The Office of Professional Regulation's Annual Report is available online. It contains statistics for all professions regulated within the Secretary of State's Office. The statistics include budgets, complaints, disciplinary actions, number of licenses issued, and so on.

eLicense from Director Chris Winters

I am pleased to give you an update on a major project all of us at OPR have been involved with over the last few years. For well over a decade, we have struggled with our two existing electronic databases for licensing and discipline. As our business has grown, it has become increasingly apparent that these databases are inadequate for our changing needs. We continue to see rising numbers of licensees and disciplinary complaints, with very little in the way of increased staffing. We need to leverage new technology to help us do our jobs in a more efficient manner as we serve the public. Because of this, we have

long been planning a replacement of our existing computer system with a new one called “eLicense.”

eLicense is a highly customizable product that allows the client to configure its functions to reflect its business practices. So before we started configuring the new system, we went through a lengthy self-analysis of our business processes, including a step-by-step review of each and every license we offer, cross-checking it with the laws for that profession and the forms we currently use. We did this for nearly 400 license types! We’ve also reviewed all of the correspondence that leaves this office to build certain standard letters into the system with merge tags so that they can be automatically generated. We’ve produced about 50 letters so far, with many more to go. On the discipline side, we have configured “actions” into the system (each one being an electronic footprint of a step in the case) so that the electronic record will be detailed and complete and anyone can know the status of a case at a glance.

The new system incorporates our two legacy databases into one, allowing for more complete information in one place about each licensee. Electronic checklists have reduced paper files and encouraged consistency. In eLicense, applicants are entered into the system as soon as they file an application, rather than when they are finally licensed. Any OPR employee from any desk can pull up a file on their computer desktop to answer questions about the applicant or licensee.

All of this has led to more reliable and accessible information, better accounting practices, and more

timely deposits. Standard letters can be automatically generated from the system and attached to the electronic licensee file. More advanced reporting functions have allowed managers to glean detailed information about workloads, timelines, and the status of applications and cases. These reporting functions also translate into additional information available to the public through our website.

Other eLicense features include the ability for applicants to look up the status of their pending applications online, greatly reducing the number of phone calls to OPR. The general public can search for licensees by a variety of search criteria.

Online license renewals have been the latest phase of the project which saw a successful launch in March. You should expect your profession to renew online this cycle, saving both you and our office staff time and money.

As you might imagine, this ambitious undertaking, on top of our regular everyday workloads, was a real challenge. The beauty of eLicense is its adaptable nature. Every day we discover new ways to harness its power and improve upon what we do. Although it has been a long and painful journey to get to this point, it has been well worth it. Along the way, we have discovered many ways to improve our business processes. It has been a great team-building exercise and has helped us to think critically and innovate around our long-standing ways of doing things here at OPR.

The OPR staff deserves a large amount of the credit for the parts they played in making this a reality.

They took on a rather large extra workload and embraced this difficult change. With a year of eLicense now under our belts, I am excited for what is in store for us next as we strive to uphold our reputation as a responsive and innovative state agency.

Online Renewals

As mentioned above, you will have the ability to renew your license online. You should have received the notice with your **User ID** and **Password**.

Please note that to renew you must certify that you are in compliance with continuing education requirements. The Office plans on verifying information stated by licensees for renewal through an audit process.

Statutory Changes Effective July 1, 2008

Sec. 37. 26 V.S.A. § 2654 is amended to read:

§ 2654. PENALTIES

Any person who violates a provision of ~~this chapter~~ section 2652 of this title shall be ~~fined not more than \$500.00 for the first offense, and for each subsequent offense not more than \$1,000.00 or be imprisoned not more than 6 months, or both~~ subject to the penalties provided in subsection 127(c) of Title 3.

Fee Changes Effective July 1, 2010

Sec. 2. 3 V.S.A. § 125(b) is amended to read:

(b) Unless otherwise provided by law, the following fees shall apply to all professions regulated by the director in consultation with advisor appointees under Title 26:

- (1) Application for registration, \$75.00.
- (2) Application for licensure or certification, \$100.00.
- (3) Optician trainee registration, \$50.00.
- (4) Biennial renewal, \$200.00, except:

(D) Biennial renewal for optician trainees, \$100.00.

Statutory Amendments to Title 3

Please note that there were changes made to Title 3, §§ 129 - 129b that affect all professions. Those changes may be viewed via our Web site at www.vtprofessionals.org.

Miscellaneous Fees

- 1) \$20 fee for verification of your licensure status to be sent to another state.
- 2) \$20 fee for replacement license.

New Rules Effective October 22, 2008

In your last Newsletter, 2006, you were advised of the statutory changes that changed the structure of the regulating body from that of a Board to an Advisory group. Effective October 22, 2008 new Rules went into effect which for the most part pertained to the structure change. In addition, various sections were updated regarding statutory references, contact information, and so on. A complete copy of your profession's Administrative Rules are available via our Web site at www.vtprofessionals.org.

Continuing Education

5.3 Continuing Education (CE) Requirements for Opticians and Registered Trainees

(a) All opticians and trainees must take a minimum of ten (10) CE credit hours during a two-year license renewal period. Credit hours must be obtained during the current renewal period.

(b) Limitations:

(1) Content: C.E. credits may include courses in contact lenses, but contact lens courses may not exceed three credits per renewal period.

(2) Format: CE credits may include home study courses, but such courses may not exceed two credits per renewal period.

(3) Credit may also include live web seminars and interactive television, but such courses may not exceed two (2) credits per renewal period.

(c) Acceptable CE credit courses:
(1) Courses approved by the ABO Education Committee or the NCLE Education Committee will be accepted for continuing education credit.

(2) Courses obtained from any of the institutions of higher learning on the list of schools, colleges and universities approved by the Office will be accepted for continuing education credit.

(d) Credits will be accepted at the rate of one credit per hour of instruction. A certificate of course completion must also accompany the credits.

(e) Reporting of CE credits: At the time of license renewal, the applicant must submit documentation of having taken ten

acceptable credit hours in the two-year period.

5.4 Exemption for Applicants Granted an Initial License to Practice by the

Office The mandatory continuing education requirement begins with the first day of the first biennial renewal period following the issuance of initial license. The Director recommends, but does not require, continuing education for initial licensees during their first licensing period.

5.5 Failure to Meet Continuing Education Requirement

Licensees whose submissions do not satisfy the continuing education requirement may, absent exceptional circumstances, be denied renewal or may be issued a 90 day temporary license. During that period each person shall submit for approval and once approved, complete a specified corrective action plan. Once the Office determines that the plan has been met, it will issue a license. Otherwise the temporary license will expire.

Effective date: October 22, 2008

Reminders

1) It is your responsibility to report changes of name and/or address to this Office (See 3 V.S.A. § 129a). With your User ID and Password you may update your address online or send us a fax or E-mail with the information. You must provide evidence of your name change (i.e., copy of marriage license, divorce decree, or other court documents) to the Office.

2) You must report within 30 days convictions, felonies, or other criminal offenses related to the

profession (26 V.S.A. 129a (a) (11)).

3) If you have Optician Trainees working under your direct supervision, you have several responsibilities in that role and are required to follow the laws and rules governing this practice. See Part 3 of the your profession's Administrative Rules.

4) Change in Supervisors. Any change in the named supervisor or in the trainee being supervised shall be reported immediately to the Office for approval. Failure to report a change in supervisor will result in no credit given toward the traineeship requirement of 4680 hours. (See part 3 of the Rules.) Forms for this purpose are available via our web site.

5) Name tags including position shall be worn by all and licenses should be displayed clearly.

Complaints

What follows is a composite of some of the issues that may result in the filing of a complaint against a practitioner. Having a complaint filed against you can be extremely disruptive and upsetting. If a case alleges unprofessional conduct, as defined by the profession's laws and rules, the Office will order an investigation.

Although many complaints do not result in disciplinary action, they are still investigated. Many of those complaints that are closed might have been avoided altogether if the practitioner had better communicated with the patient. Many insurance carriers, and many states now ask if you are, or have

ever been the subject of an investigation.

If a complaint is filed and the Investigative Team finds unprofessional conduct, the Director may take disciplinary action after a hearing. We hope that you will read this carefully, it does not cover every possible scenario, but it may help you avoid common pitfalls that result in a complaint, and/or disciplinary action.

1) Poor communication. Be sure to communicate well with your clients/patients, colleagues, and your employees.

2) Attitude. The Investigative Teams find that many cases are brought to the Office of Professional Regulation because the professional had an "attitude" that was flippant or perhaps condescending.

3) Unauthorized Practice. Working without proper registration or license to do so, or allowing unlicensed or unregistered persons to practice.

Web Site

The Board's Web site, www.vtprofessionals.org, is a great resource for information. There you may find the current statutes and rules. You may check the status of your application, look up a licensee, review disciplinary actions, etc. You will find our updated applications and forms on our Web site. You will also find important announcements such as the ability to renew online!

Lists of licensees may be downloaded from our Web site.

You may also look up the name of businesses and check their status (Corporations Division).

www.sec.state.vt.us

Statistics

For your information we currently have 104 Active Opticians (90 Resident; 14 Non-Resident); 28 Optician Trainees (27 Resident; 1 Non-Resident).

The Advisors typically meet three times a year. The next meeting is tentatively planned for October 13, 2010. Please contact the Office for verification and specific details.

Annual Report

The Office of Professional Regulation's Annual Report is available online. It contains statistics for all professions regulated within the Secretary of State's Office. The statistics include budgets, complaints, disciplinary actions, number of licenses issued, and so on.

For Testing Information

Contact

ABO/NCLE
www.abo-ncle.org
703-719-5800

Contact us

**Vermont Secretary of State
Office of Professional Regulation
Attn: Opticians
National Life Building,
North, FL 2
Montpelier, VT 05620-3402
Phone: (802) 828-2373
(E-Mail): kkemp@sec.state.vt.us
www.vtprofessionals.org**