

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF OPTOMETRY
BOARD RULE CHAPTER 430-5, TREATMENT PLANS; PRESCRIPTION
REQUIREMENTS, RULE 430-5-.01 TREATMENT PLANS, EYE
EXAMINATIONS AND PATIENT RECORDS
AND NOTICE OF PUBLIC HEARING**

RULE 430-5-.01 Treatment Plans, Eye Examinations, and Patient Records

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Optometry (hereinafter “Board”) proposes an amendment to Rule 430-5-.01 Treatment Plans, Eye Examinations, and Patient Records (herein after “proposed rule”).

This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule are being sent to all persons who have requested, in writing, to be included on a notification list. This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule may also be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. The documents will also be available for review on the Board’s website at <https://sos.ga.gov/page/optometry-board-rules>. Copies may also be requested by contacting the Board office at (404) 424-9966.

The public will have an opportunity to comment upon and provide input into the proposed rule amendment at a public hearing to be held at **10:20 a.m., August 17, 2022** in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board office remains closed due to the public health emergency (COVID-19), the hearing will be held via teleconference. Please see Board’s website for information on how to join the meeting via teleconference.

Interested parties affected by the rule may submit written comments to the Board no later than close of business on **August 10, 2022**. Written comments must be legible, signed, contain contact information from the maker (address, telephone number, email address), and addressed to Gabriel Sterling, Interim Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Optometry, 237 Coliseum Drive, Macon, Georgia 31217. Written comments may be faxed to (866) 888-7127.

During the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements will be limited to five (5) minutes per person.

The Board voted to post this Notice of Intent at its meeting on May 18, 2022. The Board also voted that the formulation and adoption of this rule amendment does not impose an excessive

regulatory cost on any licensee, and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19, 43-1-25, 43-30-5, and 31-12-12(a)(3), (b)(1)(c). Additionally, the Board voted that it was neither legal nor feasible in meeting the objectives of O.C.G.A. §§ 43-1-19, 43-1-25, 43-30-5, and 31-12-12(a)(3), (b)(1)(c) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Optometry.

According to the Department of Law of the State of Georgia, the Georgia State Board of Optometry has the authority to adopt proposed Rule 430-5-.01 pursuant to authority contained in O.C.G.A. §§ 43-1-19, 43-1-25, 43-30-5, and 31-12-12(a)(3), (b)(1)(c).

For further information, contact the Board office at (404) 424-9966.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the 21st day of June, 2022



Gabriel Sterling
Interim Division Director
Professional Licensing Boards Division

Posted: 6/21/22

**SYNOPSIS OF PROPOSED CHANGES OF TO THE
GEORGIA STATE BOARD OF OPTOMETRY
BOARD RULE CHAPTER 430-5, TREATMENT PLANS; PRESCRIPTION
REQUIREMENTS, RULE 430-5-.01 TREATMENT PLANS, EYE
EXAMINATIONS AND PATIENT RECORDS**

Purpose: The purpose of the proposed adoption is to amend the rule to reflect statutory updates regarding eye exams performed by an Optometrist or via telemedicine.

Rule 430-5-.01. Treatment Plans, Eye Examinations, and Patient Records

(1) Before diagnosing or prescribing a treatment plan for any patient, ~~including prescriptions for glasses, contact lenses or other optical devices,~~ the following must be met and determined:

- (a) case history as related by patient; ~~and~~
- (b) any pathological conditions of the eyes, both external and internal with diagnosis recorded; and,
- (c) the need for any necessary ~~optometric testing~~ to ascertain the final diagnosis and treatment plan.

(2) ~~A comprehensive eye examination includes an assessment of a patient's history, any general medical observations, an external and ophthalmoscopic examination, an assessment of gross visual field, visual acuity, ocular alignment and motility, refraction, and, binocular vision and accommodation, a diagnosis, if applicable, and a plan of treatment. No person in this state shall write a prescription for contact lenses or spectacles unless an eye examination has been performed. The eye examination must conform to the minimum standard of care for Optometrists, which, for the purposes of this rule, means that the eye examination must include the following:~~

- (a) an in-person assessment with the patient and optometrist in the same physical location or via telemedicine in an optometrist's office, hospital setting, or hospital health setting. If the examination takes place via telemedicine, the patient and optometrist should be in synchronous verbal and visual contact during such parts of the examination necessary to ensure that the telemedicine examination is, at a minimum, equivalent to an examination done in person by a provider.
- (b) an assessment of the patient's history.

- (c) any general medical observations.
- (d) an anterior segment examination.
- (e) a posterior segment examination.
- (f) assessment of intraocular pressure.
- (g) pupil evaluation.
- (h) an assessment of gross visual field.
- (i) visual acuity.
- (j) a refraction.
- (k) an assessment of binocular vision, motility and accommodation.
- (l) a diagnosis.
- (m) a plan of treatment.

(3) The written and/or electronic record of the above determination of each patient examined shall be maintained by the licensed doctor of optometry for seven (7) years from initiation and be made available to the Board or its authorized agents for inspection at any reasonable time.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-30-5, and 31-12-12(a)(3), (b)(1)(c)

Rule 430-5-.01. Treatment Plans, Eye Examinations, and Patient Records

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- (a) case history as related by patient.
- (b) any pathological conditions of the eyes, both external and internal with diagnosis recorded; and,
- (c) the need for any necessary testing to ascertain the final diagnosis and treatment plan.

(2) No person in this state shall write a prescription for contact lenses or spectacles unless an eye examination has been performed. The eye examination must conform to the minimum standard of care for Optometrists, which, for the purposes of this rule, means that the eye examination must include the following:

- (a) an in-person assessment with the patient and optometrist in the same physical location or via telemedicine in an optometrist's office, hospital setting, or hospital health setting. If the examination takes place via telemedicine, the patient and optometrist should be in synchronous verbal and visual contact during such parts of the examination necessary to ensure that the telemedicine examination is, at a minimum, equivalent to an examination done in person by a provider.
- (b) an assessment of the patient's history.
- (c) any general medical observations.
- (d) an anterior segment examination.
- (e) a posterior segment examination.
- (f) assessment of intraocular pressure.
- (g) pupil evaluation.
- (h) an assessment of gross visual field.
- (i) visual acuity.

(j) a refraction.

(k) an assessment of binocular vision, motility and accommodation.

(l) a diagnosis.

(m) a plan of treatment.

(3) The written and/or electronic record of the above determination of each patient examined shall be maintained by the licensed doctor of optometry for seven (7) years from initiation and be made available to the Board or its authorized agents for inspection at any reasonable time.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-30-5, and 31-12-12(a)(3), (b)(1)(c)