Economic Impact Statement

*(5 MRS § 8052(5-A))*

AGENCY: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Board of Optometry.

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Tina Carpentier, Board Office Specialist II, 113 State House Station, Augusta, ME 04333, tel. (207) 624-8691

CHAPTER NUMBER AND RULE TITLE:

Chapter 1: Examination; Approved Schools; License Renewal; Licensure by Endorsement; Fees; Continuing Education,

Chapter 2: Advisory Rulings

Chapter 3: Enforcement, Disciplinary Procedures and Appeals

Chapter 4: Telehealth Standards, Uses and Limitations,

Chapter 5: Code of Ethics.

TYPES AND NUMBER OF SMALL BUSINESSES SUBJECT TO THE RULE: The Maine Board of Optometry Licensing Board (“board”) currently licenses 251 licensees. Title 5 MRS § 8052(5-A) defines “small business” as businesses that have 20 or fewer employees. The board does not collect sufficient information to reliably estimate the number of licensees that are small businesses as defined in 5 M.R.S. § 8052(5-A).

PROJECTED REPORTING, RECORD-KEEPING AND OTHER ADMINISTRATIVE COSTS REQUIRED FOR COMPLIANCE WITH THE PROPOSED RULE, INCLUDING THE TYPE OF PROFESSIONAL SKILLS NECESSARY FOR PREPARATION OF THE REPORT OR RECORD:

# CHAPTER 4 of the Proposed rules includes the requirement that if an optometrist uses telehealth where he or she is not in the same room as the patient and a technician is used in the provision of telehealth care, that the optometrist use a “Qualified Technician. In relevant part, a Qualified Technician is defined as a technician who is certified by the Commission on Paraoptometric Certification (CPC) as a Certified Paraoptometric Assistant (CPOA) or higher level (Certified Paraoptometric Technician/CPOT), or certified by the Joint Commission on Allied Health Personnel in Ophthalmology (JCAHPO) as a Certified Ophthalmic Assistant (COA) or higher level (Certified Ophthalmic Technician/COT, Certified Ophthalmic Medical Technologist/COMT).

PROBABLE IMPACT ON AFFECTED SMALL BUSINESSES:

Due to the increasing practice of telehealth, ensuring a minimum level qualification of technicians is critical where there is not a licensed optometrist on site. The costs associated with the use of Qualified Technician program is incurred only by optometrists who wish to provide telehealth services when the optometrist is not in the same location as the patient and the optometrist uses a technician to assist in the provision of telehealth care. This will not include every optometrist in Maine.

For optometrists who wishes to use a Qualified Technician, the cost of becoming certified could be covered by the optometrist. However, if an optometrist is unable to cover the costs of training, that the costs would fall to the individual technician. (technicians are not regulated with the State of Maine)

Optometrists can elect to provide the training needed to their technicians or the optometrist or person seeking certification can take a training program. The cost of such a training progam and the certification examination is listed below.

The cost relating to training to take the examination is as follows:

Education requirement is either complete a course ranging from $2,000 to $5,000 or have at least 1000 hours working under an ophthalmologist.

The cost for taking the certification exams are as follows:

* Certified Paraoptometric (CPO) $290
* Certified Ophthalmic Assistant (COA) $300.00
* Certified Paraoptometric Assistant (CPOA) $310
* Certified Paraoptometric Technician Written (CPOT) $310
* Certified Paraoptometric Technician Clinical (CPOT) $310
* Certified Paraoptometric Coder (CPOC) $290

The annual renewal fee for certified technicians is $95.00

LESS INTRUSIVE OR LESS COSTLY, REASONABLE ALTERNATIVE METHODS OF ACHIEVING THE PURPOSES OF THE PROPOSED RULE: There is no practical way of identifying the existing training of technicians who assist the optometrists providing telehealth services. Without the requirements in this rule, the Board has no control over technician hiring requirements for optometrists who want to provide telehealth services.

The Board has determined that it (and consumers) need assurance that technicians meet minimum qualification standards when an optometrist providing care is not on site. To reduce costs, optometrists can provide the training which many commentors indicated that they already do. Such in-house training would not remove the cost of the certification examination or recertification.