

Florida Jurisprudence Laws and Rules of Practice April Jasper, OD, FAAO

Description: This course will review the governing statutes and rules that regulate the practice of Optometry in the State of Florida. The course is designed and presented to meet the two-hour Florida Jurisprudence CE requirement. Recent changes and disciplinary case will be used to reinforce course objectives.

Objectives:

1. Understand the History and Evolution of the Florida Board of Optometry
2. Identify the pertinent Florida Statutes and Rules that regulate the profession of optometry.
3. Review the Rules of Optometric practice in Florida.
4. Understand the process for initial licensure and licensure renewal in Florida.
5. Understand what's new.
6. Understand the Relationship between the Florida Department of Health, Board of Optometry, and The Florida Optometric Association.

Disclaimer: This lecture is solely the work of Dr. April Jasper and does not represent the views and opinions of the Florida Board of Optometry or guarantee final disposition of any items that come to the Board for consideration.

Optometry is a Regulated and Legislated Profession

1. History
 - a. Initial Optometry Practice Act 1909
 - b. Revised in 1931
 - c. Revised in 1939
 - i. How \$600 changed optometry in Florida
 - d. The Challenge of 1951
 - i. Supreme Court 1954
 - ii. The greatest step forward
 - iii. State of Optometry
 1. 1954
 - a. 399 Optometrists and 121 FOA members
 2. 2015
 - a. ????
 - e. Protecting our Profession
 - i. First Lobbyist
 1. Miss Louise Gibbons
 - ii. First Legislative Chair

1. Dr. Ed Walker
 - a. Served on Board of Optometry for 23 Years
- f. 1957 and Florida Society of Ophthalmology
 - i. No Sponsor
- g. 1967 The first education requirement in the rule
 - i. Annual Refresher of four hours
- h. Early 1970's
 - i. The move to pharmaceuticals
 - ii. Joint Study Commission
- i. Changes in 1979
 - i. Legislative Changes
 - ii. Decrease in Autonomy and Board Power
 - iii. Evolution of Chapter 455
 - iv. Slow Power shift since 1979
- j. Changes in 1997
 - i. Move from DPR to DOH
 - ii. Evolution of Chapter 456
- k. Therapeutic Legislation
 - i. Finally
- l. Co-Management Under Fire
- m. Oral Legislation House Bill 239
 - i. 1 July 2014
- n. Legislative Challenges
 - i. Telemedicine
 - ii. Online Refracting
 - iii. Vision Plans
 - iv. Opticians Refracting

Quotes:

“We are two votes and a signature away from extinction.

-Dr. Carl Spear

“Optometry is a legislated profession. It is, therefore, absolutely the duty of every optometrist to become involved in the legislative process”

-Dr. Ed Walker-

2. Three Groups who they are and are not:
 - a. Department of Health
 - b. Florida Board of Optometry
 - c. Florida Optometric Association
3. The board

role. To view the site, please visit thealthsource.gov/board-members.

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After the expiration of their term, board members can continue to serve until they have been replaced, reappointed, or resign.

4. What Statutes and Rules Apply

- a. [Chapter 463](#): Optometry Practice Act
- b. [Chapter 456](#): Health Professions and Occupations: General Provisions
- c. [Chapter 408](#): Health Care Administration
- d. [Chapter 120](#): Administrative Procedure Act
- e. [Chapter 119](#): Public Records
- f. [Chapter 112](#): Public Officers and Employees: General Provisions
- g. [Chapter 465](#): Pharmacy
- h. [Pharmacy law regarding Dispensing Practitioners](#)
- i. [Rules: Chapter 64B13](#) (Board of Optometry Rules)

5. Chapter 463 Optometry Practice Act

- a. [463.0001](#) Short title.
- b. [463.001](#) Purpose; intent.
- c. [463.002](#) Definitions.
- d. [463.003](#) Board of Optometry.
- e. [463.004](#) Board headquarters.
- f. [463.005](#) Authority of the board.
- g. [463.0055](#) Administration and prescription of ocular pharmaceutical agents.

- h. [463.0057](#) Optometric faculty certificate.
- i. [463.006](#) Licensure and certification by examination.
- j. [463.007](#) Renewal of license; continuing education.
- k. [463.008](#) Inactive status.
- l. [463.009](#) Supportive personnel.
- m. [463.011](#) Exhibition of license.
- n. [463.012](#) Prescriptions; filing; release; duplication.
- o. [463.013](#) Optometric services for certain public agencies.
- p. [463.0135](#) Standards of practice.
- q. [463.014](#) Certain acts prohibited.
- r. [463.0141](#) Reports of adverse incidents in the practice of optometry.
- s. [463.015](#) Violations and penalties.
- t. [463.016](#) Grounds for disciplinary action; action by the board.
- u. [463.018](#) Reciprocity.

6. Chapter 64B13 Board of Optometry Rules

64B13-2	ORGANIZATION, PURPOSE, MEETINGS, PROBABLE CAUSE PANEL, PROCEDURES
64B13-3	STANDARDS OF PRACTICE
64B13-4	EXAMINATION AND APPLICATION FOR LICENSURE
64B13-5	CONTINUING PROFESSIONAL EDUCATION
64B13-6	FEES
64B13-7	PROBATION GUIDELINES
64B13-10	CERTIFIED OPTOMETRIST
64B13-11	INACTIVE STATUS
64B13-15	DISCIPLINE

64B13-16	BRANCH OFFICES
64B13-18	TOPICAL OCULAR PHARMACEUTICAL AGENTS

— Drafts & Updates

[64B13-3.006](#) Licenses and Signs in Office- Effective 4/17/2013

[64B13-3.019](#) Address of Record- Effective 4/17/2013

[64B13-15.009](#) Citations- Effective 4/17/2013

[64B13-16.001](#) Definitions- Effective 4/17/2013

[64B13-16.005](#) Exceptions to Branch Office Requirements- Effective 4/17/2013

7. Resources

- a. <http://floridasoptometry.gov/>

Links and Resources



Welcome to the Florida Board of Optometry Online Resources – a tool for accessing applications, forms, statutes, rules and other important information.

[Examination →](#)

[Declaratory Statements →](#)

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-Dr. George Foster-***