



Lowering Licensure Standards Puts Kentuckians' Eye Health At Risk

Released: May 27, 2025

The Kentucky Board of Optometric Examiners is seeking to lower the standards of the optometry profession and patient care in the commonwealth by proposing a regulatory amendment that would eliminate the requirement that applicants for an optometry license demonstrate baseline competence in the fundamentals of biomedical science. Instead, the proposed regulation would grant optometry licenses to applicants who never take or who have failed the National Board of Examiners in Optometry (NBEEO®) Part I exam in applied basic science, allowing them to “substitute” a passing score on a foreign exam that does not test those content areas.

Last month, NBEEO representatives, along with several others stakeholders, testified before the Kentucky General Assembly to advocate against a proposal to allow applicants for optometric licensure in Kentucky to avoid proof of successfully passing the NBEEO Part I ABS® exam – which is required for an optometry license by every U.S. state – by presenting a passing score on the Optometry Examining Board of Canada (OEBC) online exam. The Administrative Regulation Review Subcommittee had already voted to push the amendment forward prior to hearing any testimony. The amendment is now being considered by the Interim Joint Committee on Health Services (as early as June). Unless the Interim Joint Committee disapproves the proposed amendment, it will become law.

If the proposed amendment is permitted to become law by the Interim Joint Committee on Health Services, Kentucky would be the **only** state in the country to accept the OEBC exam for optometric licensure. The OEBC exam is not equivalent to the NBEEO exam because it does not test the foundational biomedical science principles necessary for safe and skilled patient care. This is because the OEBC examination is designed for the much more limited scope of optometric practice in Canada. Optometrists in Kentucky perform many medical functions that optometrists in Canada must refer to an ophthalmologist. A core understanding of anatomy, physiology, pharmacology, etc. is essential for appropriately treating and managing patients, especially as it pertains to the advanced procedures that optometrists in Kentucky are licensed to perform, including laser surgery, small excision surgery, injections, and certain prescription authority.

In addition, the NBEEO exam – like other medical profession licensing exams in the U.S. – is administered in secure testing centers. By contrast, the OEBC written exam is administered remotely, which can present ethical and security risks. In fact, a recent study showed that remotely proctored candidates are up to 7 times more likely to be flagged for suspected collusion than in-person proctored candidates.

The NBEO three-part exam series has been rigorously developed by subject matter experts based on job task analyses for the practice of optometry in the U.S., and it has been psychometrically validated. Every state in the U.S. accepts passing scores on NBEO's three-part sequence of exams on applied basic science (Part I) and patient assessment, diagnosis and treatment (Part II), and a performance exam with simulated live patient encounters (Part III) for initial licensure as a doctor of optometry. The content covered by the NBEO three-exam sequence aligns with the training that optometry students receive in accredited programs. Successful passage of the exam series assures both regulatory boards and the public that a candidate has the clinical knowledge, skills, and competencies needed to practice optometry upon entry to the profession.

The OEBC, however, has not been validated for Kentucky's scope of practice. Accepting the OEBC as a "substitute" for the NBEO Part I exam would be inconsistent with professional standards and would raise serious questions about the psychometric and legal defensibility of the resulting licensure decisions. Indeed, NBEO believes that the proposed regulation fails to satisfy the statutory requirement in KRS 320.250 that the Kentucky Board issue licenses "only" to applicants who have passed examinations that "shall determine the applicant's preparedness to exercise" the "skills needed for the practice of optometry in this Commonwealth at the time of the examination."

The Kentucky Board's stated justification of the purported "necessity" for the proposed amendment is that "[p]ost pandemic, there were a number of optometry school students that could not pass the National boards as required in current Kentucky regulation." NBEO is aware that first-time pass rates on its exams dipped nationwide for optometry students whose preparation was negatively impacted by the forced pivot to remote learning during the pandemic. [Pass rate data](#) shows, however, that both first-time and ultimate pass rates are rising again. To the extent this was a problem, it was a temporary one that does not warrant a change that would put Kentucky dramatically out of step with the rest of the country. More significantly, lowering the standards for entry to the profession is not the right response to learning that a cohort of applicants lacked the needed preparation or skills to pass the licensure exams due to the impacts of the pandemic.

Although this proposed regulatory change has advanced largely under the radar, many ODs in Kentucky and other groups who have learned of the proposal have expressed alarm that Kentucky would lower its licensure standards. They agree that the high standards of the NBEO exam series are critical to protecting the public and to maintain confidence in the optometry profession in Kentucky. The Federation of Associations of Regulatory Boards (FARB), the National Association of VA Optometrists (NAVAO), and the Association of Regulatory Boards of Optometry (ARBO) have all submitted letters in opposition to the proposed amendment (see letters [here](#)).

NBEO believes in our mission to *protect the public by developing, administering, scoring, and reporting results of valid examinations that assess competency in optometry*. Because this proposal has been pushed forward without first gathering the input of stakeholders within optometry or performing any comparability or validation studies on the OEBC examination, we are actively working in Kentucky to oppose this regulatory amendment. If the proposed change goes into effect, patients who are harmed by licensed but unqualified optometrists in Kentucky would rightly be left to wonder why lawmakers failed to protect their health and safety. NBEO is committed to ensuring that lawmakers have the information they need to evaluate and reject this proposal to lower the standards for Kentucky optometrists.

For more information, a one pager overviewing the issue in Kentucky can be viewed [here](#). You can also view letters both ARBO and NBEO have sent to the Kentucky General Assembly [here](#). We welcome the opportunity to discuss this further if you have questions or want to support this effort. Please reach out to nbeo@optometry.org or 704-332-9565 directly.

Sincerely,

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