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**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF OPTOMETRY**

Members of the Kentucky Interim Joint Committee on Health Services:

On behalf of the Nevada State Board of Optometry as its Executive Director, I am writing to oppose the proposed amendment to 201 KAR 5:010 to accept the Optometry Examining Board of Canada (OEBC) written exam as an alternative to the National Board and Examiners in Optometry (NBEO) Part I Exam for licensure in Kentucky.

Knowing of 201 KAR 5:010, this issue is of such significance to avoid this false equivalence between the OEBC and NBEO Part I that in the best interests of the public the Nevada State Board of Optometry has proposed and sponsored a bill to add an additional section to its license by endorsement statute (NRS 636.206). Eligibility for a Nevada license can only occur if the applicant/non-Nevada optometrist “[h]as passed each part of the comprehensive national optometry examination administered by the National Board of Examiners in Optometry or its successor as a prerequisite to the issuance [of a Nevada license].” This proposal passed 42-0 in the Assembly and 21-0 in the Senate, and we expect it to become Nevada law in 10/2025.

As an optometry licensing board, we are concerned about the potential ramifications of the regulation amendment. The proposed change has the potential to permit optometry graduates, who may have failed NBEO Part I Exam six times, to take the OEBC written Exam and obtain a Kentucky license. With that license, these optometrists could then apply for a license through reciprocity or endorsement in another state. The reason for the change listed in the Impact Analysis is because “a number of students could not pass the NBEO Exams.” We feel that those students need additional education to improve their knowledge and skills, not a lowering of the standards for licensure.

The NBEO is a widely respected organization that is recognized across all states and territories in the United States for optometric licensure. Use of the NBEO Exams ensures uniformity and consistency in the qualification of optometrists to enter practice and allows for license mobility across the country. The NBEO Part I Exam is a multiple-choice exam that tests the basic biomedical science concepts necessary to enter the clinical practice of optometry. The OEBC Written Exam is case-based and assesses clinical thinking and decision making with an emphasis on assessment, diagnosis and planning, and patient management. The two exams are not equivalent, and one should not be substituted for the other to assess the competency of optometric students.

The proposed amendment does not protect the health and safety of the citizens of Kentucky. The Nevada State Board of Optometry is opposed to this proposed regulatory change by the KBOE due to concerns related to public protection, consistency, and the confusion that will arise from this modification.

Sincerely,

/s/ Adam Schneider
Adam Schneider, Esq.