



## GUIDELINES FOR LAWS SEEKING TO ESTABLISH THE LICENSURE BY ENDORSEMENT PROCESS

Last Revised January 2005

The American Optometric Association's State Government Relations Center, pursuant to the direction given in House of Delegates Resolution 1915 (#5 of 1995) to support licensure by endorsement, has established the following guidelines to be used to determine if a state law or regulation establishes the licensure by endorsement process (see definitions below) in the true spirit of the concept. If a state's law or regulation meets these guidelines, that state will be listed by the Committee as an "endorsement" state.

**RECIPROcity** -- Reciprocity is a relationship that exists when two or more State Boards of Optometry determine that their licensure standards are equivalent, or nearly equivalent, and enter into a contractual agreement granting licenses to applicants from one another's state. [**NOTE:** To our knowledge there are NO true reciprocal agreements (contracts) between any two or more state boards of optometry.]

**ENDORSEMENT** -- Endorsement is the process whereby the State Board of Optometry has been given authority by the state legislature to assess the equivalency of an individual applicant's credentials to that state's own licensure standards, regardless of interstate contractual agreements. Equivalency is ideally defined to mean "equal in effect" vs. "exact duplicate." If the Board determines that the standards are met, licensure is granted. If the Board determines that the competency of an individual candidate is in question, the Board **may** require additional testing or education prior to granting licensure. One of the cornerstones of the endorsement process is the possibility for a currently licensed, competent practitioner, whose license is in good standing, to obtain a license in another state without being required to take or retake specific examinations designed to evaluate entry-level skills.

### **To Be Listed As An Endorsement State, The Law Or Regulation:**

- **MUST NOT** require that a candidate for licensure by endorsement have taken and passed **specific** entry-level written, practical, or clinical examinations to obtain their original license. For example, the "National Boards Part I, II, and III." This includes a prohibition against requiring passage of a **specific** test on pharmacology, such as the "TMOD." If a law does name a specific examination, the Board must have the authority to waive that requirement or accept another examination passed by the candidate in lieu of the specified examination(s).
- **MUST NOT** require candidates for licensure by endorsement take a state-administered written, practical, clinical, pharmacology, or oral examination that may still be given by a state optometry board to new-graduate candidates for licensure. Requiring a candidate to take a state-administered law exam is acceptable [see below].
- **MUST NOT** require that reciprocal privileges be granted by the applicant's state of current licensure.

### **To Be Listed As An Endorsement State, The Law Or Regulation:**

- **SHOULD REQUIRE** that licensure requirements in the state where an optometrist received his/her first license included the passage of **an** examination.

This requires a "leap of faith" on the part of the licensing boards that all examinations appropriately tested candidates for entry-level competency and are/were essentially equivalent. "Equivalent" is

defined here to mean “equal in effect” not an “exact duplicate.” Keep in mind that whether or not a candidate for licensure by endorsement is competent **today** has absolutely nothing to do with what entry-level examination(s) they may or may not have taken years ago to qualify for their original license.

- **SHOULD REQUIRE** that candidates for licensure by endorsement hold prescriptive authority at the highest level possible in their state of current licensure and have completed appropriate **equivalent** education in the treatment of eye disease, including passage of **a** test on pharmacology.
- **SHOULD REQUIRE** that candidates for licensure by endorsement apply for a license that grants the highest level of prescriptive authority possible in your state.
- **SHOULD REQUIRE** candidates to take a state law exam, if one is given. Such a law exam may appropriately be given to all candidates for licensure whether they are new-graduate or endorsement applicants.
- **SHOULD REQUIRE** that applicants for licensure by endorsement show proof that they are/were licensed “in good standing” in every state where the applicant holds/held a license, including compliance with continuing education requirements.

The optometry boards may gather this information by primary source verification directly from the licensing board(s) where the candidate is/was licensed, query the Association of Regulatory Boards of Optometry’s (ARBO) disciplinary data bank for every candidate, and/or have candidates produce a current report from the Healthcare Integrity and Protection Data Bank (HIPDB) and the National Practitioner Data Bank (NPDB).

- **SHOULD REQUIRE** that applicants for licensure by endorsement have been in active practice for a certain number of years as determined by the Board (such as 5 of the last 7 years, 4 of the last 6, etc.) immediately prior to application. “Active practice” is defined to include military service or employment on the faculty of a school or college of optometry.

#### **To Be Listed As An Endorsement State, The Law Or Regulation:**

- **MAY REQUIRE ON AN INDIVIDUAL BASIS** the passage of a written, practical, or clinical examination **ONLY IF** the competency of a candidate for licensure by endorsement is in question.
- **MAY REQUIRE ON AN INDIVIDUAL BASIS** completion of additional continuing education or course work **IF** the competency of a candidate for licensure by endorsement is in question.

**Recommendations For New-Graduate Licensure Requirements:** The Center strongly encourages all state optometry boards to require new-graduate applicants to apply for licensure at the highest level of prescriptive authority in your state. And all new-graduate applicants should be required to take all parts of the National Board (or its successor examination). While the Center believes the requirement to pass a state law exam is appropriate, we discourage those remaining states who still give a written, practical, clinical, or oral exam from doing so. With the universal adoption of these recommendations, and with the increasing commonality of scope of practice laws from state to state, the licensure mobility problem that currently exists should eventually be eliminated.