

**PROPOSED REGULATION OF THE  
BOARD OF DISPENSING OPTICIANS**

**LCB FILE NO. R117-26I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 05/26/2026**

# NEVADA BOARD OF DISPENSING OPTICIANS

## Proposed Regulation of the Board (as submitted to LCB 5.26.26)

### Color/Font Key:

Black Standard: new text/section

*Blue Italic*: text adopted via Approved Regulation R067-23

~~*Red Italic w/ Strikethrough*~~: text adopted via Approved Regulation R067-23, now proposed for removal

*Green Italic*: proposed new text

### **Part I — Standards of Practice for Opticians, Optical Establishments, and Online Optical Vendors**

The purpose of this Regulation is to establish distinct but equivalent standards for the dispensing of prescription eyewear by brick-and-mortar/traveling optical establishments and online/remote optical vendors. This Regulation also creates best practice standards for both business models to ensure public safety, professional accountability, and compliance with applicable quality and safety standards, including the ANSI Z80 series.

#### **Section 1 – Definitions**

1. “ANSI Z80 standards” means the American National Standards Institute Z80 series applicable to ophthalmic lenses, frames, and optical devices.
2. “Brick-and-Mortar Optical Establishment” means an optical business that operates from a fixed, permanent physical location open to the public, at which licensed opticians routinely engage in the dispensing, fitting, adjustment, repair, replacement, or sale of ophthalmic products.
3. “Traveling optical establishment” means an optical business that does not operate primarily from a fixed, permanent retail location, and instead provides optician services at multiple locations through travel, including but not limited to private residences, long-term care facilities, schools, workplaces, community centers, temporary clinics, or other non-permanent sites.
4. “Online optical vendor” means any business or platform that dispenses ophthalmic products through remote or electronic means;
5. “Remote dispensing” means the dispensing of ophthalmic products without in-person measurement or fitting, adjustment of the final products to the patient’s face, or delivery of the final product to the patient.
6. “Optical Order” means any order for an ophthalmic product prepared or dispensed pursuant to a prescription.
7. “Account” means an individual electronic user account assigned to an optician for professional use.
8. “Authentication” means the process by which an optician’s identity is verified before access to an account is granted.
9. “Unauthorized access” means access to an account by any person other than the optician to whom the account is assigned.

## **Section 2 – Duty of Care for Opticians**

1. An optician shall:
  - (a) Act in the best interests of the patient at all times;
  - (b) Provide dispensing services with care, skill, and judgment consistent with accepted professional standards, including, without limitation:
    - (1) Obtaining accurate measurements required for the fabrication and fitting of ophthalmic products;
    - (2) Accurately interpreting and verifying prescriptions prior to dispensing ophthalmic products in accordance with all applicable ANSI standards;
    - (3) Clarifying incomplete, unclear, or questionable prescriptions with the prescriber before proceeding;
    - (4) Dispensing ophthalmic products strictly in accordance with valid prescriptions and applicable laws, including providing a final inspection and verification of each product before it is dispensed to the patient; and
    - (5) Ensuring proper fit, comfort, visual performance, and safety of all dispensed products and making reasonable adjustments and providing follow-up care as necessary.
  - (c) Practice only within the scope of their education, training, and licensure;
  - (d) Provide patients with clear information regarding the proper use, care, limitations, and maintenance of ophthalmic products, and inform patients when referral to an optometrist or ophthalmologist is medically advised;
  - (e) Follow established infection control protocols appropriate to the practice setting, including, without limitation:
    - (1) Properly cleaning, disinfecting, or disposing of instruments and materials used in patient care;
    - (2) Maintaining a safe and hygienic environment for patients and staff; and
    - (3) Complying with any guidelines for the cleanliness and sanitization of equipment and the optical establishment that are approved by the Board.
2. Any optical establishment, online vendor, or other employer that directs a licensed employee to violate or omit any duty of care required by Subsection 1 of this Regulation when dispensing ophthalmic products to patients shall be deemed in violation of NRS 637.090 and subject to penalties pursuant to NRS 637.181 and this Regulation.
3. Any optical establishment, online vendor, or other employer that directs a licensed or unlicensed employee to dispense an ophthalmic product to a patient that has not received a final inspection by a licensed optician to ensure the product satisfies the minimum standards established by the Board pursuant to NRS 637.070 shall be deemed in violation of NRS 637.090 and subject to penalties pursuant to NRS 637.181 and this Regulation.

## **Section 3 - Record Keeping and Confidentiality**

1. Each optical establishment or online optical vendor, regardless of business model, shall maintain accurate, complete, and legible records for every optical order processed or dispensed. Such records shall clearly identify:
  - (a) The full name and license number of the optician who created or prepared the optical order;
  - (b) The full name and license number of the optician who verified and dispensed or delivered the optical order to the patient or customer; and

- (c) Where the same optician both creates and dispenses the optical order, the record shall reflect that fact.
2. Each optical establishment or online optical vendor, regardless of business model, that utilizes any electronic system, platform, or service for the creation, verification, approval, or dispensing of ophthalmic products must provide each optician with a unique, individual account for professional use. Such accounts shall not:
    - (a) Be shared, transferred, or used by any person other than the optician to whom the account is assigned, or
    - (b) Be accessible via group, generic, or shared login credentials.
  3. Any such electronic system shall include mechanisms to prevent concurrent or suspicious logins and to record access activity, including, without limitation, maintaining audit logs recording account access, order creation, verification, and dispensing activities. Any confirmed breach of account security shall be investigated promptly and appropriate corrective measures shall be implemented.
  4. Opticians must maintain the confidentiality of their electronic account authentication credentials and shall take reasonable steps to prevent unauthorized access to their accounts, including logging out after use and reporting suspected breaches without undue delay. Unauthorized access, account sharing, or failure to comply with the provisions of this section is grounds for disciplinary action.
  5. An optical establishment or online optical vendor, regardless of business model, shall:
    - (a) Ensure patient records related to orders for ophthalmic products are securely stored and accessible only to licensed personnel authorized to dispense such products;
    - (b) Ensure prepared and verified ophthalmic products awaiting dispensing to patients are securely stored and accessible only to licensed personnel authorized to dispense such products;
    - (c) Take all reasonable precautions to protect the confidentiality and privacy of patient information in accordance with all applicable state and federal laws; and
    - (d) Disclose patient information only with consent or as required by law.
  6. Records required under this Regulation shall be retained for a minimum period of 5 years from the date of dispensing, or for such longer period as otherwise required by state or federal law. Records may be maintained in paper or electronic form, provided they are readily accessible for inspection and audit by the Board.
  7. Each optical business shall be responsible for implementing internal policies and procedures to ensure compliance with this Regulation.
  8. All records required under this Regulation shall be made available upon request to the Board and its authorized agents. An optical establishment that fails to comply with the requirements of this regulation will be subject to disciplinary action, fines, or other penalties as provided by applicable law.

#### **Section 4 – Brick and Mortar and Traveling Optical Establishments**

1. A brick-and-mortar or traveling optical establishment shall:
  - (a) Provide in-person services by a licensed optician including, without limitation:
    - (1) Measurement and fitting;
    - (2) Final inspection of ophthalmic products to ensure they conform to ANSI standards prior to dispensing the products to patients;
    - (3) Assessment of comfort, alignment, and visual performance of prepared ophthalmic products; and

- (4) Post-dispensing adjustments and follow-up care;
- (b) Keep a copy of the ANSI Z80 series, or any other series adopted by the Board pursuant to NRS Chapter 637 and this Regulation, in a readily-accessible location at the establishment for reference and review by licensed employees.
- (c) Maintain a documented process for:
  - (1) Receiving and addressing patient complaints;
  - (2) Remakes or returns due to non-conformance with ANSI standards.

(d) ~~Sec. 10. 1. A dispensing optician:~~

~~(a) Shall have the following optical equipment at the place of dispensing:~~

- ~~(1) A lens clock;~~
- ~~(2) A lensometer; and~~
- ~~(3) A pupilometer.~~

~~(d) (b) Shall have the following optical equipment at the place of dispensing if he or she the establishment fits contact lenses:~~

- ~~(1) A slit lamp;~~
- ~~(2) A digital or manual keratometer or autorefractor;~~
- ~~(3) A contact lens loupe;~~
- ~~(4) A thickness gauge;~~
- ~~(5) A diameter gauge;~~
- ~~(6) Fluorescein dye; and~~
- ~~(7) Trial contact lenses.~~

~~2. All equipment must be in good working order.~~

~~3. If any equipment is used more than once, the dispensing optician must clean the equipment between each use with sanitizing wipes or spray. The dispensing optician shall comply with any guidelines for the cleanliness and sanitization of equipment and the optical establishment that are approved by the Board.~~

- 2. Equipment used for dispensing shall be:
  - (a) Appropriate for its intended purpose;
  - (b) Properly maintained, in good working order, and calibrated; and
  - (c) Capable of producing optical devices that meet ANSI Z80 tolerances.
- 3. If no dispensing optician is on duty in an optical establishment, a sign prescribed by the Board must be posted for public view at the main entrance or cashier station of the optical establishment in accordance with subsection 2 of NRS 637.090.

## Section 5 - Online Orders and Remote Sales

- 1. An online optical vendor shall:
  - (a) Ensure all orders are dispensed by an optician licensed to practice pursuant to this Regulation and NRS Chapter 637;
  - (b) Keep a copy of the ANSI Z80 series, or any other series adopted by the Board pursuant to NRS Chapter 637 and this Regulation, in a readily accessible location at the establishment for reference and review by licensed employees;
  - (c) Clearly and conspicuously disclose to patients, in accordance with any policy adopted by the Board:
    - (1) The absence of in-person fitting or adjustment services, where applicable;
    - (2) Potential limitations of remote dispensing; and
    - (3) Options for obtaining in-person professional assistance;
  - (d) Where measurements are obtained remotely, ensure that:

- (1) The limitations of remote measurement are clearly and conspicuously disclosed to the patient, in accordance with any policy adopted by the Board; and
  - (2) The measurements are sufficient to meet ANSI Z80 fabrication requirements.
2. An optician shall not dispense, supply, or authorize the fabrication of ophthalmic products through online, remote, or electronic ordering systems unless the optician has obtained a valid copy of the patient's optical prescription. The optician shall:
  - (a) Verify the authenticity, completeness, and validity of the prescription prior to dispensing;
  - (b) Ensure the prescription is within its stated expiration date;
  - (c) Confirm that the prescription was issued by an authorized prescriber in accordance with applicable laws;
  - (d) Where prescriptions are received electronically, take reasonable steps to ensure the prescription has not been altered and is attributable to the issuing prescriber; and
  - (e) Maintain a copy of the prescription as part of the patient record in accordance with the record-keeping requirements set out in this Regulation.
3. An optician shall ensure that all measurements required for safe and effective dispensing are obtained accurately, whether collected in person or through approved remote methods consistent with professional standards. An optician shall refuse to dispense prescription eyewear where remote measurements are inadequate to ensure patient safety or compliance with ANSI standards.
4. An optician shall perform a final inspection of any finished ophthalmic product to ensure compliance with ANSI standards prior to authorizing the delivery of the product to the patient.
5. An optician shall provide patients ordering ophthalmic products online with appropriate information regarding:
  - (a) Proper fit, use, care, and limitations of the ophthalmic product; and
  - (b) The availability of follow-up care, adjustments, or referrals, when necessary.
6. Online optical vendors shall maintain a documented process for:
  - (a) Receiving and addressing patient complaints;
  - (b) Remakes or returns due to non-conformance with ANSI standards; and
  - (c) Referral to in-person care when issues cannot be resolved remotely.

## **Section 6 – Revisions to Unprofessional Conduct**

**R067-23 Sec. 27.**

*637.235 1. As used in paragraph (h) of subsection 6 of NRS 637.150, the Board will interpret the phrase “other conduct which the Board has determined is unethical or unprofessional ” to include, without limitation:*

- (g) Any act of falsification, misrepresentation, or cheating related to continuing education requirements, including, without limitation,*
  - (1) Using answer keys, unauthorized materials, or external assistance to complete CE coursework or examinations;*
  - (2) Allowing another individual to complete, in whole or in part, any CE activity on their behalf, or*
  - (3) Misrepresenting completion of CE requirements.*

## **Part II: Management of Optical Establishments**

The purpose of this regulation is to clarify the roles and responsibilities of licensed managers, to address issues of employer circumvention of existing regulations, and to provide the Board with meaningful enforcement capabilities.

**R067-23 Sec. 9.**

1. *A manager of an optical establishment:*
  - (a) *Must hold a license as a dispensing optician issued pursuant to this chapter or chapter 637 of NRS; and*
  - (b) *Is responsible for all day-to-day, on-site management duties ~~overseeing all aspects of ophthalmic dispensing~~ at the optical establishment, including, without limitation:*
    - (1) *Oversight of all ophthalmic dispensing services, including, without limitation, ensuring that all ophthalmic dispensing is performed by ~~an~~ appropriately licensed employees and that the optical establishment and its employees adhere to the provisions of this chapter and chapter 637 of NRS;*
    - (2) *Maintaining a current list of all licensees who are employed at the optical establishment;*
    - (3) *Displaying the current license certificates of all licensed employees in a public and conspicuous area of the optical establishment; ~~and~~*
    - (4) *Ensuring the optical establishment keeps a copy of each sworn statement submitted to the Board pursuant to section 7 of this regulation that indicates the supervisor of record for each apprentice dispensing optician employed at the optical establishment.*
    - (5) *Supervision, scheduling, evaluation, and discipline of licensed or unlicensed staff, and authority to make operational, staffing, or professional practice decisions affecting the optical establishment;*
    - (6) *Responsibility for regulatory compliance, recordkeeping, audits, inspections, and implementation of policies and procedures;*
  - (c) *Is subject to disciplinary action pursuant to applicable laws for failure to adhere to the provisions of this section.*
2. *A dispensing optician must notify the Board, in the form and manner prescribed by the Board, within 10 days after becoming the manager of an optical establishment, that he or she is the manager of the optical establishment. A dispensing optician shall not manage more than one optical establishment.*
3. *Except as otherwise provided in this subsection, the manager of an optical establishment must be on duty during the hours the optical establishment is engaged in ophthalmic dispensing unless the manager assigns another dispensing optician to act as the substitute manager of the optical establishment.*
4. *An apprentice dispensing optician shall not:*
  - (a) *Act as a manager of an optical establishment; or*
  - (b) *Under any circumstances have any authority to, or act in such a manner as to supersede the authority or any decision of a dispensing optician.*
5. ~~*If no dispensing optician is on duty in the optical establishment, a sign prescribed by the Board must be posted for public view at the main entrance or cashier station of the optical establishment in accordance with subsection 2 of NRS 637.090.*~~

- ~~6. Each optical establishment shall be responsible for ensuring that all managerial duties are performed exclusively by a licensed manager. The establishment shall maintain documentation verifying the licensure status and managerial role of any individual exercising managerial authority and shall make such documentation available to the Board upon request.~~
5. An optical establishment shall:
- (a) Maintain a contemporaneous log identifying the licensed manager on duty for each period of ophthalmic dispensing which includes, at a minimum, the full name and license number of the manager on duty, the date, the start and end times of the manager's shift, and any substitutions or changes of the manager on duty during that period.
  - (b) Retain the log for a period of not less than two (2) years from the date of each entry and make the log available for inspection by the Board upon request.
  - (c) Post a sign, as prescribed by the Board, for public view at the main entrance or cashier station of the optical establishment, identifying the licensed manager on duty at any time ophthalmic dispensing is taking place. The sign must be updated promptly upon any change of the manager on duty.
6. An optical establishment shall not employ, appoint, designate, or otherwise allow any individual to act as a manager unless that individual holds a valid, current license as a dispensing optician issued pursuant to this chapter or chapter 637 of NRS. An optical establishment shall not evade or circumvent the requirements of this regulation by:
- (a) Assigning managerial duties to an unlicensed individual under an alternative title, including but not limited to "office manager," "operations manager," "store lead," "administrator," or "consultant";
  - (b) Designating a licensed individual as manager in name only while permitting an unlicensed individual to exercise actual or effective managerial control;
  - (c) Claiming that an unlicensed individual's managerial activities are temporary, incidental, clerical, advisory, or administrative in nature when such activities constitute managerial duties under this regulation;
  - (d) Allowing an unlicensed individual to manage the optical establishment during the absence, limited presence, or off-site status of the licensed manager; or
  - (e) Structuring employment, contractual, or supervisory arrangements in a manner that has the purpose or effect of permitting unlicensed managerial control.
7. The following circumstances shall give rise to a rebuttable presumption that an unlicensed individual is performing prohibited managerial duties:
- (a) The unlicensed individual is the highest-ranking or primary on-site person responsible for daily operations;
  - (b) The unlicensed individual routinely opens or closes the optical business, sets work schedules, or assigns tasks to staff;
  - (c) The unlicensed individual provides direction or instructions to licensed or unlicensed personnel concerning day-to-day business operations;
  - (d) The unlicensed individual communicates with regulatory authorities, vendors, or third parties on behalf of the optical establishment;
  - (e) The unlicensed individual manages the optical establishment during any period when the licensed manager is absent, off-site, or not readily available; or

- (f) The licensed manager is present only intermittently, remotely, or in a nominal capacity.*
- 8. Upon the establishment of any rebuttable presumption under Section 9(8), the burden shall shift to the optical establishment to demonstrate, by clear and convincing evidence, that the unlicensed individual does not perform managerial duties and does not exercise actual or effective managerial control.*
  - 9. The Board shall determine compliance with the provisions of Section 9(9) based on the substance of the individual's duties and authority, rather than job title, contractual designation, or formal reporting structure.*
  - 10. Any optical establishment that employs an unlicensed manager or permits an unlicensed individual to perform managerial duties, including through circumvention as described in Section 9(7), shall be deemed in violation of this regulation and subject to disciplinary action, penalties, or other enforcement measures as authorized by this Regulation and other applicable law, including an automatic citation pursuant to Section 13 of this Regulation. Each day, or portion thereof, during which an unlicensed individual performs or is permitted to perform managerial duties shall constitute a separate and distinct violation.*
  - 11. A person who has supervisory authority over a person who manages an optical establishment and intentionally influences or attempts to influence the decisions of that person relating to ophthalmic dispensing shall be deemed to have violated the provisions of NRS 637.090.*

**R067-23 Sec. 13. 1.** *If the Board, the Executive Director of the Board, an authorized employee of the Board or a designee of the Board issues a citation pursuant to section 11 of Assembly Bill No. 415, chapter 223, Statutes of Nevada 2023, at page 1387, the Board, Executive Director, authorized employee or designee will impose an administrative fine according to the schedule adopted in subsection 2.*

**2.** *The Board adopts the following schedule of administrative fines for any citation issued pursuant to subsection 1:*

*Any optical establishment that employs an unlicensed manager or permits an unlicensed individual to perform managerial duties, including through circumvention as described in Section 9(7) of this Regulation:*

*For violations lasting 1–7 days: \$100 per day;*

*For violations lasting 8–30 days: \$200 per day;*

*For violations exceeding 30 days: \$500 per day*

*Any optical establishment or optical vendor that directs a licensed or unlicensed employee to dispense an ophthalmic product to a patient that has not received a physical final inspection by a licensed optician to ensure the product satisfies the minimum standards established by the Board pursuant to NRS 637.070:*

*Each individual violator: \$1000 for first citation*

*Each individual violation: \$5000 for subsequent citations*

## Part III: Review and Approval of Ophthalmic Education Programs for Apprentice Opticians

The purpose of this regulation is to establish a uniform process for the review, approval, oversight, and periodic reevaluation of ophthalmic education programs intended to satisfy educational requirements for apprentice opticians.

**Sec. 5. 1. An apprentice dispensing optician who desires to obtain a license as a dispensing optician pursuant to NRS 637.100 must:**

**(a) Complete an educational program on ophthalmic dispensing theory and practice approved by the Board, pursuant to the provisions of this Regulation. ~~which includes the following areas of instruction:~~**

~~(1) Ocular anatomy, physiology and refractive anomalies of the eye;~~

~~(2) Processes of vision, especially the effect of light, lenses and prisms placed before the eye;~~

~~(3) Theoretical optics;~~

~~(4) Ophthalmic vocabulary;~~

~~(5) Ophthalmic prescription interpretation, eyeglass lens and contact lens identification, fitting and adjustment of eyeglasses and use of instruments in the analysis of eyeglass lenses and contact lenses in a practical examination; and~~

~~(6) All facets of ophthalmic dispensing procedures.~~

**(b) Complete an educational program on contact lens dispensing theory and practice approved by the Board pursuant to the provisions of this Regulation.**

### Section 1 - Definitions

1. “**Ophthalmic education program**” means a structured course of study, whether offered in-person, online, or in a hybrid format, that provides instruction in ophthalmic theory, technical skills, and related competencies relevant to opticianry.
2. “**Program sponsor**” means the educational institution or other entity responsible for administering an ophthalmic education program.

### Section 2 - Requirement for Program Approval

1. An apprentice optician may receive educational credit toward apprenticeship requirements only from ophthalmic education programs approved by the Board pursuant to the provisions of this Regulation.
2. No program sponsor shall represent or advertise an ophthalmic education program as Board-approved unless such approval has been granted by the Board pursuant to the provisions of this Regulation.

### Section 3 - Application for Program Approval

1. A program sponsor seeking Board approval shall submit a complete application in the form and manner prescribed by the Board, together with all required supporting documentation.
2. An application for approval shall include, without limitation:
  - (a) A detailed program description and educational objectives;

- (b) A curriculum outline identifying subject matter, instructional hours, and learning outcomes, which must conform to the minimum requirements of this Regulation;
  - (c) *The credentials and qualifications of the instructor or instructors presenting the program or, for a program without an instructor, the qualifications, methodology, standards, references, or other basis upon which the program content was developed;*
  - (d) Methods of instruction and assessment;
  - (e) Policies regarding student attendance, evaluation, and successful completion; and
  - (f) Any additional information required by the Board to evaluate program quality and relevance.
3. The Board may waive the requirements of Subsections 1 and 2 if the ophthalmic education program or program sponsor has been approved by an accrediting agency recognized by the Board.

#### **Section 4 - Requirements for Approval**

1. Each Board-approved ophthalmic education program for apprentice opticians shall provide instruction in the subject areas identified in this section. Instructional hours shall be sufficient to ensure competency and shall meet or exceed the minimum hours specified:
- (a) *For an education program covering Ophthalmic Dispensing Theory and Practice pursuant to Sec. 5.1.a, a minimum of 2400 instructional hours which must include instruction in the following subjects:*
    - (1) *Ocular Anatomy and Physiology: Instruction shall include basic anatomy of the eye and adnexa, visual pathways, and fundamental ocular physiology relevant to opticianry practice;*
    - (2) *Ophthalmic Optics and Lens Theory: Instruction shall include geometric and physical optics, lens power, prism, lens materials, and optical performance characteristics;*
    - (3) *Ophthalmic Lenses and Materials: Instruction shall include lens design, materials, treatments, coatings, and lens selection considerations;*
    - (4) *Frame Selection, Adjustment, and Repair: Instruction shall include frame materials, fitting principles, adjustment techniques, and basic repairs;*
    - (5) *Measurements and Fitting Techniques: Instruction shall include facial measurements, pupillary distance, segment height, fitting cross placement, and verification procedures;*
    - (6) *Prescription Interpretation and Verification: Instruction shall include prescription analysis, ANSI standards, lens verification, and troubleshooting.*
  - (b) *For an education program covering Contact Lens Dispensing Theory and Practice pursuant to Sec. 5.1.b, a minimum 1200 instructional hours which must include instruction in the following subjects:*
    - (1) *Contact Lens Fundamentals: Instruction shall include basic contact lens types, materials, care systems, and the optician's role in contact lens services, as permitted by law;*
    - (2) *Contact Lens Fitting: Instruction shall include theoretical and practical principles of fitting soft, rigid gas permeable, and specialty contact lenses;*

- (3) *Contact Lens Prescription and Dispensing: Instruction shall include interpreting contact lens prescriptions and translating them into appropriate lens orders and other dispensing decisions specific to contact lenses;*
  - (4) *Contact Lens Instrumentation: Instruction shall include the instruments and technologies used in contact lens practice, including operation and interpretation of keratometers, corneal topographers, slit lamps, lensometers, pachymeters, and trial lens sets.*
  - (5) *Infection Control and Safety: Instruction shall include standard precautions, equipment sanitation, workplace safety, and applicable health regulations.*
2. For purposes of this section, one instructional hour shall consist of not less than fifty (50) minutes of direct instruction or supervised practical training.
  3. Each ophthalmic education program seeking approval or renewal of approval shall provide for each apprentice, upon completion of the program, a formal transcript or equivalent official record. The transcript or official record shall:
    - (a) Clearly identify:
      - (1) The name of the apprentice optician;
      - (2) The name of the approved ophthalmic education program and program sponsor;
      - (3) The dates of program attendance or completion; and
      - (4) The number of instructional hours completed for each subject area or topic of instruction.
    - (b) Be sufficiently detailed to allow the Board to verify compliance with educational requirements.
  4. Failure to provide an accurate and complete transcript as required by this section shall constitute grounds for denial, nonrenewal, suspension, or revocation of program approval.

**Section 5 - Review and Approval Process; Term and Renewal of Approval**

1. Upon receipt of a complete application, the Board shall review the submission to determine whether the program meets established educational standards for apprentice opticians.
2. In evaluating an application, the Board shall consider, without limitation:
  - (a) Relevance of curriculum to the practice of opticianry;
  - (b) Adequacy of instructional hours and content depth;
  - (c) Qualifications and competency of instructors;
  - (d) Effectiveness of assessment and evaluation methods; and
  - (e) Overall ability of the program to prepare apprentices for safe and competent practice.
3. The Board may approve, deny, or conditionally approve a program. The Board shall notify the program sponsor in writing of its decision and, if applicable, any conditions or deficiencies requiring correction.
4. The Board may delegate review and approval of programs pursuant to this section to an employee, contractor, or other designee of the Board.
5. Program approval shall be valid for a period not to exceed five years, unless earlier suspended or revoked by the Board. During the period of approval, approved programs shall maintain compliance with the standards upon which approval was granted. Program sponsors shall notify the Board in writing of any substantive changes to curriculum, instructional staff, delivery method, or program structure within 30 days of such change.

6. A program sponsor seeking renewal of approval shall submit a renewal application in the form and manner prescribed by the Board, demonstrating continued compliance with applicable standards.
7. The Board may require periodic reports or conduct audits or site reviews to ensure continued compliance and may deny, suspend, or revoke program approval for failure to comply with this Regulation. Prior to suspension or revocation, the Board shall provide notice and an opportunity for the program sponsor to respond in accordance with applicable administrative procedures, as approved by the Board.

#### **Part IV: Review and Approval of Prior Experience Credit for Apprentice Opticians**

The purpose of this regulation is to establish a process for the review and approval of prior experience credit to satisfy the apprentice training hours and length of apprenticeship required by NRS 637.100 and Section 5(2) of this Regulation.

**Sec. 5. 1. *An apprentice dispensing optician who desires to obtain a license as a dispensing optician pursuant to NRS 637.100 must:***

***(b) Receive instruction and training under the direct supervision of a licensed dispensing optician, ophthalmologist or optometrist in this State while employed at an optical establishment. Such instruction and training must include experience at the fitting table in preparing laboratory orders, verifying processed work from the laboratory and the performance of other duties related to ophthalmic dispensing consisting of:***

- (1) At least 2,000 hours of training and experience as an apprentice dispensing optician completing a 2-year apprenticeship pursuant to subparagraph (1) of paragraph (c) of subsection 1 of NRS 637.100; or***
- (2) At least 1,000 hours of training and experience as an apprentice dispensing optician completing a 1-year apprenticeship pursuant to subparagraph (2) of paragraph (c) of subsection 1 of NRS 637.100.***

***(c) An apprentice may apply for credit toward the required years of apprenticeship and apprenticeship training hours required under Subsections 1 and 2 for prior optical-related experience obtained before licensure as apprentice, or while previously licensed as an apprentice in Nevada.***

***(d) Prior experience eligible for consideration under this section shall be limited to experience that:***

- (1) Was obtained within the 5 years immediately preceding the date of application for credit;***
- (2) Involved the performance of duties substantially similar to those required of an apprentice optician under applicable laws and regulations, including but not limited to the dispensing, fitting, adjustment, repair, or sale of ophthalmic products;***
- (3) Was performed under the direct supervision of a licensed optician, optometrist, or ophthalmologist, as applicable; and***
- (4) Was lawfully obtained in compliance with all applicable licensing, employment, and consumer protection laws in the jurisdiction where the experience was obtained.***

- (e) An application for credit shall be submitted in a form and manner prescribed by the Board and shall include:
  - (1) A detailed description of the nature, scope, and duration of the prior experience;*
  - (2) Verification of employment or service, including dates and number of hours worked;*
  - (3) A signed attestation from the supervising professional(s) confirming the applicant's duties and level of supervision; and*
  - (4) Any additional documentation deemed necessary by the Board to evaluate the application.**
- (f) The Board shall review each application on a case-by-case basis and may grant full, partial, or no credit based on the quality, relevance, and verification of the experience presented. The determination of the Board shall be final.*
- (g) The Executive Director of the Board, an authorized employee of the Board or a designee of the Board may review and approve or deny applications for credit pursuant to this section and in accordance with the policies of the Board.*

### **Part V: Updated Exam Provisions and Fees**

The purpose of this regulation is to increase the Board's income to match existing operating fees and to allow for 6 months of operating reserves, as is recommended standard practice.

**R067-23, Sec. 25.**

**637.220**

- 1. Unless waived pursuant to subsection 2, the fee for:
  - (a) An application for an initial license as an apprentice dispensing optician is ~~\$100~~ \$200*
  - (b) An application for an initial license as a dispensing optician is ~~\$150~~ \$250*
  - (c) The annual renewal of a license as an apprentice dispensing optician is ~~\$100~~ \$200*
  - (d) The annual renewal of a license as a dispensing optician is ~~\$350~~ \$500*
  - (e) An examination established by the Board pursuant to NRS Chapter 637 is \$250**