ALASKA STATE LEGISLATURE
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Division of Legislative Audit

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SUMMARY OF: A Sunset Review on the Department of Commerce, Community, and Economic Development, Board of Examiners in Optometry, June 30, 2013

PURPOSE OF THE REPORT

In accordance with Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Examiners in Optometry (board or BEO). The purpose of this audit was to determine whether there is a demonstrated public need for BEO's continued existence and whether it has been operating in an effective manner. As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether the board should be reestablished. Currently, under AS 08.03.010(c)(14), the board will terminate on June 30, 2014, and will have one year from that date to conclude its administrative operations.

REPORT CONCLUSIONS

We conclude that the board's termination date should be extended. BEO is serving the public's interest by effectively licensing and regulating optometrists. The board monitors licensees and ensures that only qualified individuals practice. The board also develops and adopts regulatory changes to improve the optometry profession in Alaska. We recommend that the board's termination date be extended to June 30, 2022.

The prior sunset audit included two recommendations which have been resolved. This report makes one new recommendation to the Division of Corporations, Business and Professional Licensing (DCBPL or division) regarding its investigative support to the board. Improvements are needed to address various investigative case management system deficiencies.

FINDINGS AND RECOMMENDATIONS

1. DCBPL's director should continue efforts to improve the investigative case management system's integrity and confidentiality.

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July 24, 2013

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Examiners in Optometry, and the attached report is submitted for your review.

DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT
BOARD OF EXAMINERS IN OPTOMETRY
SUNSET REVIEW

June 30, 2013

Audit Control Number
08-20081-13

The audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Per AS 08.03.010(c)(14), the Board of Examiners in Optometry is scheduled to terminate on June 30, 2014. We recommend that the legislature extend the termination date to June 30, 2022.

The audit was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Fieldwork procedures utilized in the course of developing the findings and recommendations presented in this report are discussed in the Objectives, Scope, and Methodology.

Kris Curtis, CPA, CISA
Legislative Auditor

TABLE OF CONTENTS

Page

Objectives, Scope, and Methodology 1

Organization and Function 5

Report Conclusions 7

Findings and Recommendations 9

Analysis of Public Need 11

Appendix A - Board of Examiners in Optometry Survey Results 17

Agency Responses

Department of Commerce, Community, and Economic Development 25

Board of Examiners in Optometry 27

OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Title 24 and 44 of the Alaska Statutes, we have reviewed the Board of Examiners in Optometry's (board or BEO) activities to determine whether there is a demonstrated public need for its continued existence and whether it has been operating in an efficient and effective manner.

As required by AS 44.66.050(a), this report shall be considered by the committee of reference during the legislative oversight process in determining whether BEO should be reestablished. Currently, under AS 08.03.010(c)(14), the board will terminate on June 30, 2014, and will have one year from that date to conclude its administrative operations.

Objectives

The four, central audit objectives were:

1. Determine whether the board's termination date should be extended.
2. Determine whether the board is operating in the public's interest.
3. Determine whether the board has exercised appropriate regulatory oversight of licensed optometrists.
4. Provide the current status of recommendations made in the prior sunset audit.

Scope and Methodology

The assessment of BEO's operations and performance was based on criteria established in AS 44.66.050(c). Criteria set out in this statute relate to the determination of a demonstrated public need for the board.

The audit reviewed the operations and activities of the board from FY 06 through FY 13.

During the course of the audit, the following were reviewed and evaluated:

- Applicable statutes and regulations to identify board functions and responsibilities. Changes made during the audit period were reviewed to determine whether the changes enhanced or impeded board activities. Changes were also evaluated for consistency with statutory purpose and to ascertain if the board operated in the public's interest.

- BEO members' applications and resumes filed with the Office of the Governor's Boards and Commissions to verify members met statutory requirements.

- Board meeting minutes, budget documents, and annual reports to understand board proceedings and activities as well as the nature and extent of public input.

- Public notice documents to ascertain whether public notices for board meetings and regulatory changes were published as required by Alaska Statutes and Division of Corporations, Business and Professional Licensing (division or DCBPL) policies.

- The prior sunset audit and a previous DCBPL special audit to identify issues affecting the board.

The current board chair and public member were interviewed to gain an understanding of the board's activities, the level of public input, and changes in fee levels. The division director, various other division personnel, and several employees in the information technology section of the Department of Commerce, Community, and Economic Development's (DCCED) Administrative Services Division were also interviewed to assess whether the division sufficiently supported BEO's activities.

A survey of active board licensees with United States addresses was conducted to obtain licensee opinions on: what regulatory changes should be made, whether the board operated effectively and in the public's interest, the board's performance in addressing important issues, and whether the board is duplicating the efforts of other organizations.

A random sample of licensing files and documentation for active licenses was selected to assess compliance with statutes and regulations for initial and renewal licensing. The applicable controls were considered moderately significant; the inherent risk was considered limited; and the risk of noncompliance was considered low. Eighteen of the 174 licenses that were active on March 1, 2013, were randomly selected and examined.

A random sample of investigation files and documentation was selected to assess the efficiency and effectiveness of the investigation process. When determining sample size, the applicable controls were considered moderately significant, and the inherent risk was considered limited. Prior audits found errors with the case management system, and the extract of the investigations database showed evidence of system errors. Therefore, the risk of noncompliance was considered moderate, and a 15 percent sample was determined sufficient to detect errors. Three of the 14 board-related cases open or opened between July 2008 and January 2013 were randomly selected and examined.

Board and division internal control procedures relating to various audit objectives, including procedures over licensing, investigations, and board proceedings, were assessed. Controls over the investigative case management system and the licensing database were also assessed.

Inquiries regarding board-related complaints were made with the following organizations:

- Alaska State Commission for Human Rights;
- Department of Administration's Division of Personnel and Labor Relations;
- United States Equal Employment Opportunity Commission;
- DCCED's Commissioner's Office;
- Office of the Ombudsman;
- Office of Victims' Rights; and
- Office of the Governor's Board and Commissions.

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ORGANIZATION AND FUNCTION

Alaska Statute 08.72.010 establishes the Board of Examiners in Optometry's (board or BEO). The board is composed of five members: four licensed optometrists who have been Alaska residents for at least three years and one public member.

Board members are appointed by the governor to serve four-year terms. Board members may not serve more than two consecutive terms. Alaska Statutes require that public board members have no direct financial interest in the healthcare industry.

Board Duties and Powers

BEO regulates the practice of optometry and sets the minimum standards to practice in Alaska by:

1. Licensing optometrists through examination or credentials.

2. Establishing, amending, or eliminating regulations that affect the optometry practice's professional standards.

3. Taking disciplinary action when a person violates optometry-related statutes or regulations.

4. Reviewing and approving continuing education courses and activities.

Exhibit 1

Board of Examiners in Optometry as of March 20, 2013

James C. Graves
Chair, Optometrist

Forrest Messerschmidt
Secretary, Optometrist

Paul M. Barney
Optometrist

Grant Humphreys
Optometrist

Immanual "Manny" Lewis
Public Member

Department of Commerce, Community, and Economic Development (DCCED), Division of Corporations, Business and Professional Licensing (division or DCBPL)

DCBPL provides administrative and investigative assistance to the board. Administrative assistance includes budgetary services and functions such as collecting fees, maintaining files, receiving and issuing application forms, and publishing notice of examinations and meetings. Investigative assistance is available upon request, or the division may conduct an investigation on its own initiative if it appears that an individual has engaged, or is about to engage, in a practice over which the division has authority. The division can issue an order that an individual stop a practice, bring an action in the Alaska Superior Court to enjoin the act, examine the books and records of a license holder and/or association, and subpoena witnesses and records.

Alaska Statute 08.01.065 mandates that DCCED adopt regulations to establish the amount and manner of fee payments for applications, examinations, licenses, registration, permits, investigations, and all other fees as appropriate for the occupations covered by statutes.

REPORT CONCLUSIONS

In developing our conclusion regarding whether the Board of Examiners in Optometry's (board or BEO) termination date should be extended, board operations were evaluated using the 11 factors set out in AS 44.66.050. Under the State's "*sunset*" law, these factors are to be used in assessing whether an agency has demonstrated a public policy need for continuing operations.

Overall, we conclude BEO is serving the public's interest by effectively licensing and regulating optometrists. The board monitors licensees and ensures that only qualified individuals practice. The board also develops and adopts regulatory changes to improve the optometry profession in Alaska.

In accordance with AS 08.03.010(c)(14), the board is scheduled to terminate June 30, 2014. We recommend that the board's termination date be extended eight years to June 30, 2022.

This report makes one recommendation regarding the Division of Corporations, Business and Professional Licensing's investigative support to the board. Improvements are needed to address various case management system deficiencies. (See Recommendation No. 1.)

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FINDINGS AND RECOMMENDATIONS

The Board of Examiners in Optometry's (board or BEO) 2005 sunset audit[1] recommended the Division of Corporations, Business and Professional Licensing (division or DCBPL) decrease licensing fees to eliminate the board's surplus. As a result, the division reduced fees from $420 to $200 in FY 07.

The 2005 audit also recommended that the legislature consider amending BEO-related statutes to support license endorsements for the use of diagnostic pharmaceutical agents. In FY 10, the legislature passed House Bill 245 which eliminated licenses with these endorsements. All optometrists are now required to be licensed at a level that allows for both diagnostic and therapeutic uses of pharmaceutical agents.

This audit makes one new recommendation.

Recommendation No. 1

DCBPL's director should continue efforts to improve the investigative case management system's integrity and confidentiality.

DCBPL's investigative case management system does not fully support efficient case management. The system was purchased with the expectation that it would be an "*off the shelf*" product with immediate functionality as a case management tool. However, the system does not entirely meet the investigation unit's needs.

When the investigative case management system was implemented in 2010, division management identified many system deficiencies. These ranged from significant security, reporting, and conversion problems to various inefficiencies in case management processing. Deficiencies were caused by software limitations and a lack of procedures.

While some of the deficiencies were addressed through a revised policies and procedures manual dated May 2012, other problems require software fixes by the vendor. A new contract signed in June 2012 has allowed the division to work with the vendor to address software issues. The vendor was tasked with improving the investigative case management system's efficiency and reliability in several areas. Division management reported that these improvements are in the testing phase and should be effective by the end of June 2013.

However, other problems persist. Security related to case confidentiality remains weak as each investigator may view and alter other investigators' cases. Though investigators are

[1]*Department of Commerce, Community, and Economic Development; Division of Corporations, Business and Professional Licensing; Board of Examiners in Optometry, September 27, 2005*, audit control number 08-20042-05.

discouraged from viewing cases to which they are not assigned, they have access to all investigative files. The investigative case management system's deficiencies have also affected case management efficiency. Investigators reported the system may fail to respond which results in lost work. Additionally, the system's reporting function did not consistently produce reliable information.

The duty to investigate occupational licensing complaints is statutorily assigned to DCBPL. The efficiency with which complaints are investigated is one of the evaluation criteria used in the sunset legislative oversight process. Specifically, AS 44.66.050(c) requires examining:

> *The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of victims' rights or the office of the ombudsman have been processed and resolved.*

The noted deficiencies in the investigative case management system impede the division's ability to provide investigative support to the board.

We recommend DCBPL's director continue efforts to improve the investigative case management system's integrity and confidentiality.

ANALYSIS OF PUBLIC NEED

The following analyses of the Board of Examiners in Optometry's (board or BEO) activities relate to the public need factors defined in AS 44.66.050(c). These analyses are not intended to be comprehensive but to address those areas we were able to cover within the scope of our audit.

As part of the audit, a survey was conducted of board licensees. All active licensees with addresses in the United States (167 as of January 23, 2013) were provided the survey, and 71 (43 percent) responded. The survey questions and responses are presented in Appendix A of this report.

Determine the extent to which the board, commission, or program has operated in the public interest.

BEO operated in the public's interest by establishing licensing and continuing education requirements, licensing qualified individuals, and enforcing regulations. Seventy-six percent of licensee survey respondents rated overall board effectiveness as "*good*" or "*excellent.*"

The board provided reasonable assurance that optometrists were competent and qualified by promulgating and enforcing regulations. From FY 06 through FY 12, the board adopted, repealed, or revised 26 regulations. The changes streamlined and standardized licensure requirements, eliminated licenses with diagnostic and therapeutic use endorsements, and exempted active-duty military personnel from continuing education requirements for license renewal. The regulatory changes also included "*housekeeping*" changes such as updating definitions to match the current nature of the profession.

Board members attended the Association of Regulatory Boards of Optometry annual conferences to stay informed of nationwide issues affecting the profession. Knowledge gained from the conferences and other issues were communicated to the public and licensed professionals via newsletters.

Determine the extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices that it has adopted, and any other matter, including budgetary, resource, and personnel matters.

Seventy-six percent of licensee survey respondents rated the board's overall effectiveness as "*good*" or "*excellent.*" Eighty-five percent of respondents also reported that the board's effectiveness has either remained the same or increased over the last four years.

Through its regulatory modernization project, the board revised outdated language in regulations. Additionally, the board, through its annual report, provided a list of suggested

statutory changes to the legislature to align statutes with current optometry practices.

During the audit period, the board held at least one meeting per year as required by Alaska Statutes. A quorum was maintained at all meetings and vacancies did not hamper board proceedings.

Exhibit 2 presents a schedule of board revenues and expenditures from FY 06 through March 31, 2013. The amounts were provided by the Division of Corporations, Business and Professional Licensing (division or DCBPL) management. Division staff restated all occupational board financial activity to correct for the over allocation of DCBPL indirect costs to occupational boards as identified by a 2011 special audit.[2] Exhibit 2 is unaudited and provided for general informational purposes.

Exhibit 2

Board of Examiners in Optometry
Restated Schedule of Revenues and Expenditures
FY 06 through March 31, 2013
(Unaudited)

	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	July 1, 2012 - March 31, 2013
Licensing Revenue	$ 7,835	$ 29,330	$ 6,604	$ 34,205	$ 6,450	$ 32,985	$ 4,875	$ 66,360
Direct Expenditures								
Personal Services	13,283	9,430	8,839	22,279	18,994	29,292	24,606	15,856
Travel	3,970	1,225	5,138	7,659	5,433	4,505	6,493	2,996
Contractual	3,191	1,399	3,836	3,141	710	5,194	5,985	5,830
Supplies	23		-	177	42	23	57	72
Total Direct Expenditures	20,467	12,054	17,813	33,256	25,179	39,013	37,141	24,754
Indirect Expenditures*	5,671	7,266	6,972	7,270	9,318	8,509	10,320	7,740
Total Expenditures	26,138	19,320	24,785	40,526	34,497	47,523	47,461	32,494
Annual Surplus (Deficit)	(18,303)	10,010	(18,181)	(6,321)	(28,047)	(14,538)	(42,586)	33,866
Beginning Cumulative Surplus (Deficit)	50,563	32,261	42,270	24,089	17,768	(10,279)	(24,817)	(67,403)
Ending Cumulative Surplus (Deficit)	$ 32,260	$ 42,270	$ 24,089	$ 17,768	$ (10,279)	$ (24,817)	$ (67,403)	$ (33,537)

Source: DCBPL management.
* FY 13 indirect costs are estimated based on the prior fiscal year's amount.

[2]*Department of Commerce, Community, and Economic Development; Division of Corporations, Business and Professional Licensing; Select Occupational Licensing and Enforcement Issues, June 29, 2011*, audit control number 08-30059-11.

Alaska Statute 08.01.065(c) requires "*that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation.*" As shown in Exhibit 2 (previous page), the board began biennial licensing cycles FY 07 and FY 09 with a cumulative surplus. Consequently, board fees were reduced from $420 to $200 in FY 07. The sharp decrease in revenues eliminated the surplus by FY 10. Since fees were not adjusted for the FY 11 renewal period, DCBPL reported a deficit. In FY 13, fees were increased from $200 to $400 to address the deficit. The board's cumulative deficit was $33,537 as of March 31, 2013.

Determine the extent to which the board, commission, or agency has recommended statutory changes that are generally of benefit to the public interest.

The board was instrumental in passing legislation related to licensed optometrists using pharmaceutical agents. During the 2005 sunset audit period, the three different license types were:

- Optometrists without an endorsement – not permitted to use or prescribe pharmaceutical agents;
- Optometrists with a diagnostic pharmaceutical agent (DPA) endorsement – permitted to use pharmaceutical agents in diagnosing eye diseases.
- Optometrists with a therapeutic pharmaceutical agent (TPA) endorsement – permitted to use pharmaceutical agents in diagnosing and treating eye diseases.

In FY 10, House Bill 245 eliminated licenses with endorsements and created one level of licensure equivalent to the TPA endorsement. Under the new statute, optometrists may use both topical and non-topical pharmaceutical agents diagnostically and therapeutically. The change expanded the scope of services that optometrists can provide and increased the continuing professional education required.

Determine the extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service that it has provided.

An analysis of 10 of the 20 board meetings held during the audit period showed that the location, date, and time of upcoming board meetings and notices of proposed changes in regulations were posted on the State's Online Public Notice System with adequate time for interested individuals to attend or to submit written comments for review. Though members of the public did not comment at most of the board meetings during the audit period, the minutes do reflect time for public comment. Additionally, the Online Public Notice System allows individuals to set up a subscription to receive public notices by email.

Determine the extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

Upcoming meeting times, proposed regulations, and regulation changes were appropriately published on the State's Online Public Notice System. The board allotted time for public comment at each board meeting. Meeting minutes are available on the board's website.

Determine the efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of victims' rights or the office of the ombudsman have been processed and resolved.

No board-related complaints were filed with the State's Office of the Ombudsman, the Office of the Governor, the Office of Victims' Rights, or the Department of Commerce, Community, and Economic Development, Commissioner's Office from July 2008 through January 2013. Fourteen complaints against board licensees or applicants were open or opened by DCBPL between July 2008 and January 2013. As of February 2013, 10 of the 14 complaints were closed.

Determine the extent to which a board or commission that regulates entry into an occupation or profession has presented qualified applicants to serve the public.

From FY 06 through FY 12, the board issued *new* licenses to 85 applicants. Seventy-eight of these were licenses with TPA endorsements (highest level) and seven were licenses with DPA endorsements. As a result of the statutory change previously discussed, therapeutic licenses are the only license type issued since FY 10. Individuals licensed with a DPA endorsement prior to June 2, 2010 (the effective date of statutory change) were allowed to maintain their license type. Exhibit 3 provides the number and type of new licenses issued from FY 06 through FY 12.

Exhibit 3

New Optometrist Licenses Issued
FY 06 through FY 12

License Type[3]	FY 06	FY 07	FY 08	FY 09	FY 10	FY 11	FY 12	Totals
Unrestricted	10	11	16	11	10	9	11	78
Restricted	0	0	0	4	3	0	0	7
	10	11	16	15	13	9	11	85

Source: BEO annual reports.

[3]*Unrestricted licenses* are licenses with TPA endorsements; *restricted licenses* are licenses with DPA endorsements or no endorsement.

Approximately 72 percent of licensee survey respondents rated their experience obtaining or renewing licensure between "*good*" and "*excellent*." As of February 28, 2013, there were 174 licensed optometrists in Alaska.

An examination of eight new license applications and 18 license renewal applications filed from July 2006 through February 2013 showed that the application process complied with regulations and statutes. Optometrist applicants may be licensed through examination or through credentials. For initial licensure, the board required evidence of passing the National Board of Examiners in Optometry (NBEO) examination. All applicants must also pass an exam on the State's optometry regulations and statutes.

Continuing education was required and monitored by the board. DCBPL audited approximately 10 percent of renewal license applications for compliance with continuing education requirements.

Determine the extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

From July 2008 through January 2013, no board-related complaints were filed with the Alaska State Commission for Human Rights, the United States Equal Employment Opportunity Commission, or the Department of Administration's Division of Personnel and Labor Relations.

Determine the extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Eighty-seven percent of survey respondents believed that existing statutes and regulations met licensees' needs and protected the public's interest.

During the audit period, board operations were impeded by DCBPL's investigative case management system. Identified deficiencies range from security, reporting, and conversion problems to various inefficiencies in case management processing. (See Recommendation No. 1.)

Determine the extent to which the board, commission, or agency has effectively attained its objectives and purposes and the efficiency with which the board, commission, or agency has operated.

Routine board objectives identified in annual reports include:

- Regularly reviewing optometry-related statutes and regulations.
- Developing a list of recommended changes to Alaska Statutes.

- Informing active Alaska licensed optometrists of recent regulation amendments.
- Continuing biannual meetings.
- If possible, sending a board member to the Association of Regulatory Boards of Optometry conference.
- Remaining informed of and supporting state and federal legislation concerning patient protection and access to care.

In addition to listing routine objectives, the annual reports included objectives to address significant non-reoccurring issues. In FY 12, BEO's objectives also included the following:

- Monitoring national board certification.
- Monitoring the definition of *use, dispense, and sale of prescription and nonprescription* pharmaceuticals.
- Developing policies and requirements for injection training to clarify expectations of incoming applicants, continuing education for licensees, and providing examples of approved course curriculums.

Interviews with board members and an examination of meeting minutes and annual reports indicate that the board actively worked toward achieving its operational objectives.

Determine the extent to which the board, commission, or agency duplicates the activities of another governmental agency or the private sector.

The board's activities are not duplicated by other governmental agencies or by the private sector. NBEO has a role in the board's licensing process, as new license applicants are required to pass the NBEO examination. Licensees are not, however, required to maintain membership in NBEO, and NBEO has no licensing or investigative responsibilities.

APPENDIX

As a part of this audit, a survey was provided to the 167 optometrist licensees with United States addresses as of January 23, 2013. Of those surveyed, 71 (43 percent) responded. The survey results are summarized in Appendix A.

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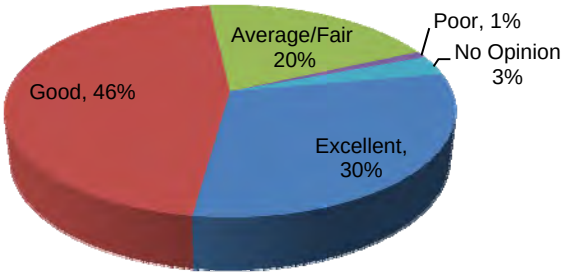
Appendix A

Board of Examiners in Optometry
Survey Results

1. How would you rate the overall effectiveness of the board?

Responses	Number of Responses	Percentage of Responses
Excellent	21	30%
Good	33	46%
Average/Fair	14	20%
Poor	1	1%
No Opinion	2	3%
Total Respondents	71	100%

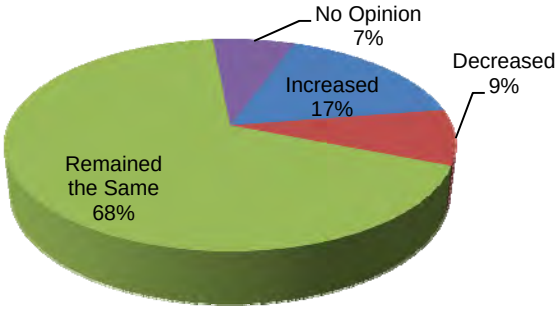
Overall Board Effectiveness



2. In your opinion, has the effectiveness of the board increased, decreased, or remained the same over the last four years?

Responses	Number of Responses	Percentage of Responses
Increased	12	17%
Decreased	6	9%
Remained the Same	48	68%
No Opinion	5	7%
Total Respondents	71	100%

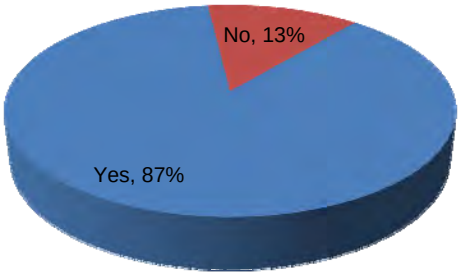
Change in Board Effectiveness



3. Do you believe existing statutes meet the needs of regulated individuals and/or entities and protect the public's interests?

Responses	Number of Responses	Percentage of Responses
Yes	62	87%
No	9	13%
Total Respondents	71	100%

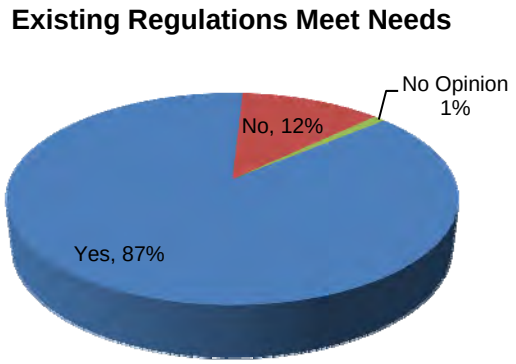
Existing Statutes Meet Needs



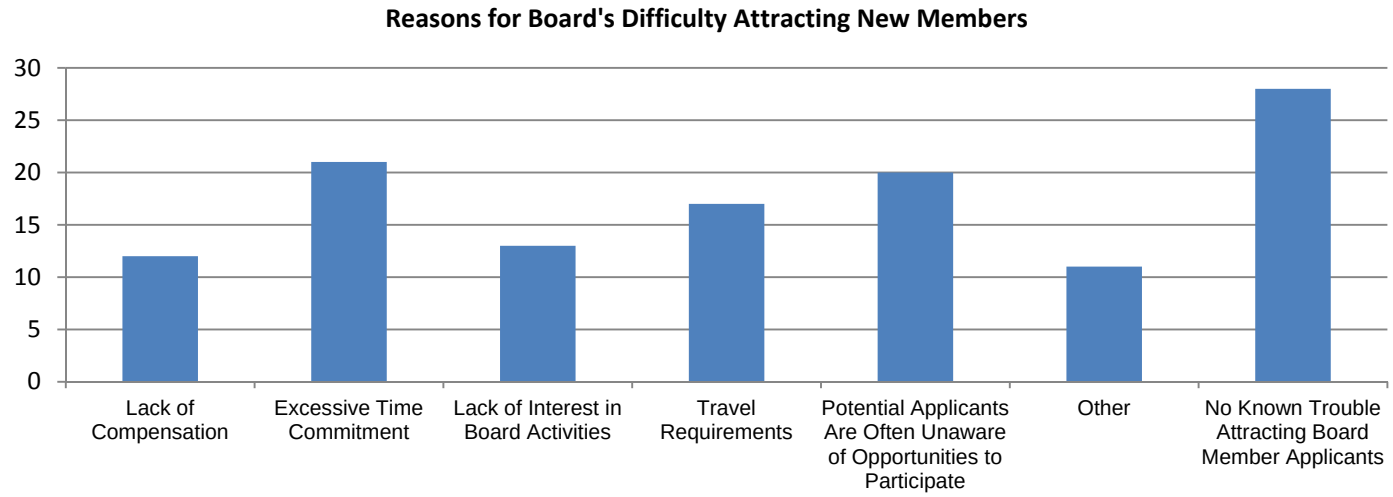
Board of Examiners in Optometry
Survey Results

4. Do you believe existing board regulations meet the needs of regulated individuals and/or entities and protect the public's interests?

Responses	Number of Responses	Percentage of Responses
Yes	62	87%
No	8	12%
No Opinion	1	1%
Total Respondents	71	100%

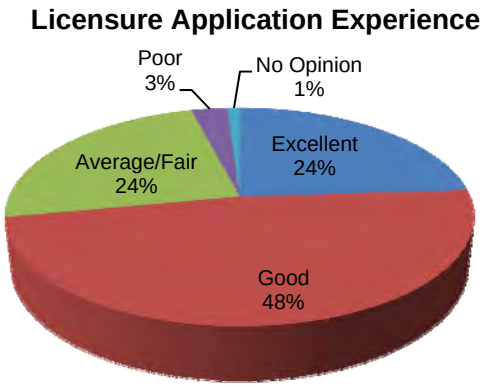


5. If applicable, what are the main reason(s) the board has difficulty attracting new board member applicants?



6. How would you rate your overall experience in applying for or maintaining professional licensure?

Responses	Number of Responses	Percentage of Responses
Excellent	17	24%
Good	34	48%
Average/Fair	17	24%
Poor	2	3%
No Opinion	1	1%
Total Respondents	71	100%

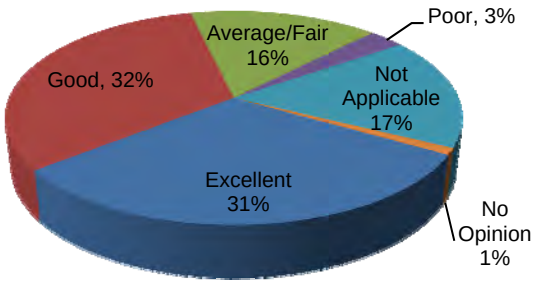


Board of Examiners in Optometry
Survey Results

7. How would you rate the board's responsiveness to your questions or concerns?

Responses	Number of Responses	Percentage of Responses
Excellent	22	31%
Good	23	32%
Average/Fair	11	16%
Poor	2	3%
Not Applicable	12	17%
No Opinion	1	1%
Total Respondents	71	100%

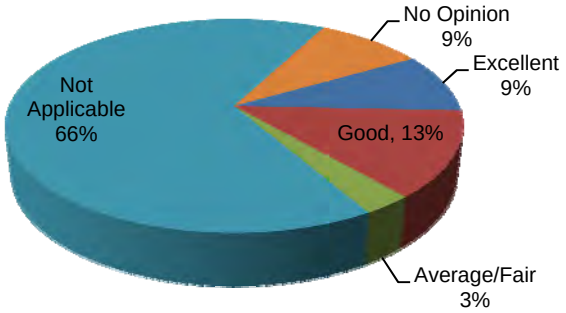
Board's Responsiveness



8. If you were required to take an examination for licensure in the last four years, how would you rate the board's administration of testing procedures?

Responses	Number of Responses	Percentage of Responses
Excellent	6	9%
Good	9	13%
Average/Fair	2	3%
Not Applicable	47	66%
No Opinion	7	9%
Total Respondents	71	100%

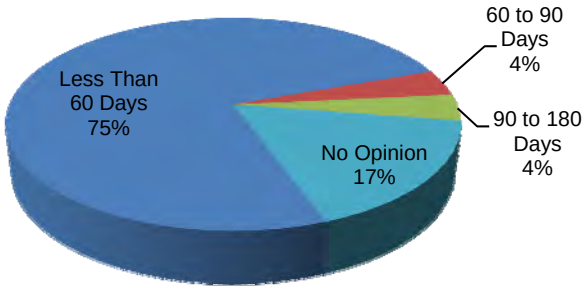
Board's Testing Administration



9. What was the approximate length of time from the submission of your application (new or renewal) to the board's ultimate decision?

Responses	Number of Responses	Percentage of Responses
Less Than 60 Days	53	75%
60 to 90 Days	3	4%
90 to 180 Days	3	4%
No Opinion	12	17%
Total Respondents	71	100%

Timeframe for Board's Licensure Decisions

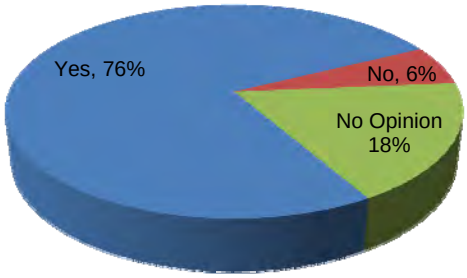


Board of Examiners in Optometry
Survey Results

10. Do you believe this timeframe was reasonable?

Responses	Number of Responses	Percentage of Responses
Yes	54	76%
No	4	6%
No Opinion	13	18%
Total Respondents	71	100%

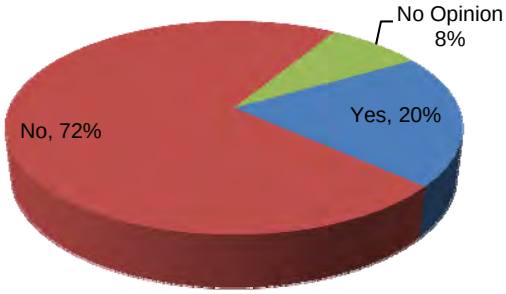
Timeframe Reasonableness



11. Do current licensing requirements create any unnecessary barriers to entry?

Responses	Number of Responses	Percentage of Responses
Yes	14	20%
No	51	72%
No Opinion	6	8%
Total Respondents	71	100%

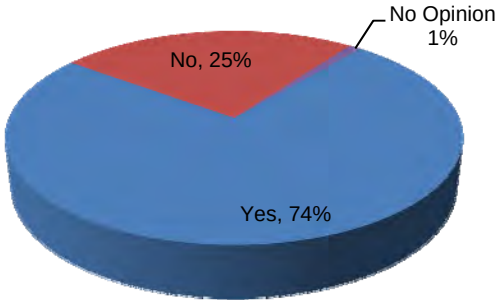
Licensing Barriers to Enter Profession



12. Do you believe annual dues/fees are reasonable?

Responses	Number of Responses	Percentage of Responses
Yes	52	74%
No	18	25%
No Opinion	1	1%
Total Respondents	71	100%

Annual Dues and Fees Reasonableness

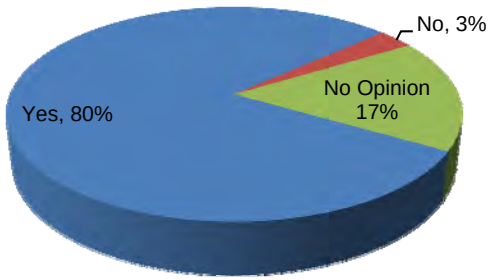


Board of Examiners in Optometry
Survey Results

13. Do you believe the composition of the board is a reasonable representation of your profession?

Responses	Number of Responses	Percentage of Responses
Yes	57	80%
No	2	3%
No Opinion	12	17%
Total Respondents	71	100%

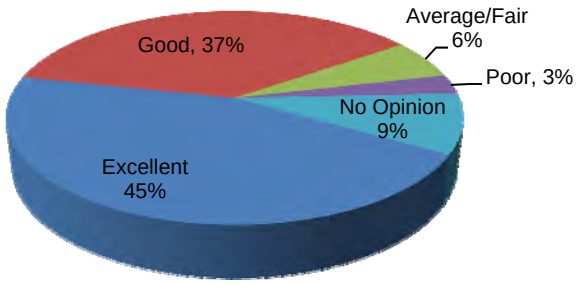
Board's Representation of Profession



14. How would you rate board members' knowledge and understanding of the profession?

Responses	Number of Responses	Percentage of Responses
Excellent	32	45%
Good	26	37%
Average/Fair	4	6%
Poor	2	3%
No Opinion	7	9%
Total Respondents	71	100%

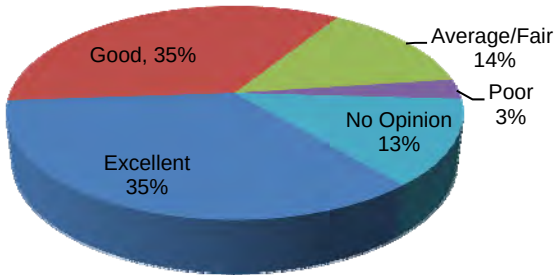
Board Members' Knowledge



15. How would you rate the board's performance in addressing important issues?

Responses	Number of Responses	Percentage of Responses
Excellent	25	35%
Good	25	35%
Average/Fair	10	14%
Poor	2	3%
No Opinion	9	13%
Total Respondents	71	100%

Board's Performance Addressing Issues

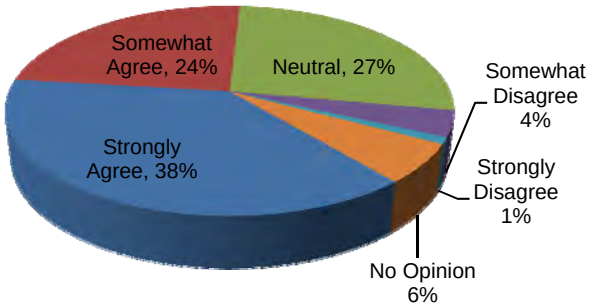


Board of Examiners in Optometry
Survey Results

16. Does the board maintain a good working relationship with members of the profession?

Responses	Number of Responses	Percentage of Responses
Strongly Agree	27	38%
Somewhat Agree	17	24%
Neutral	19	27%
Somewhat Disagree	3	4%
Strongly Disagree	1	1%
No Opinion	4	6%
Total Respondents	71	100%

Board's Relationship with Optometrists



THE STATE of ALASKA
GOVERNOR SEAN PARNELL

Department of Commerce, Community, and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800
Juneau, Alaska 99811-0800
Main: 907.465.2500
Programs fax: 907.465.5442

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September 10, 2013

Ms. Kris Curtis, CPA, CISA
Legislative Auditor
Alaska State Legislature
Legislative Budget and Audit Committee
Division of Legislative Audit
P.O. Box 113300
Juneau, AK 99811-3300

RE: Preliminary Audit Report Department of Commerce, Community, and Economic Development (DCCED), Board of Examiners in Optometry (board) June 30, 2013

Dear Ms. Curtis:

Thank you for the opportunity to respond to the auditor's conclusion and recommendation regarding the sunset review of the Board of Examiners in Optometry. The Division of Corporations, Business and Professional Licensing (DCBPL) concurs with the report conclusion that the board's termination date should be extended to June 30, 2022. Our comments on the sole recommendation is provided below.

Recommendation No. 1

DCBPL's director should continue efforts to improve the investigative case management system's integrity and confidentiality.

The department concurs with this recommendation. As noted in the audit report, DCBPL has taken action to address deficiencies and improve the investigative case management system's efficiency and reliability in several areas. The division will continue these efforts through the rest of FY14.

Again, thank you for the opportunity to respond to the report conclusion and recommendation. If you have any additional questions, please contact me at 907-465-2500.

Regards,

Susan K. Bell
Commissioner

cc: Don Habeger, Director CBPL
JoEllen Hanrahan, Director ASD

FAIRBANKS
OPTOMETRIC
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(907) 474-8695
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September 5, 2013

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LEGISLATIVE AUDIT

Kris Curtis, CPA, CISA
Legislative Auditor
Division of Legislative Audit
P.O. Box 113300
Juneau, AK 99811-3300

To whom this may concern:

I agree with the recommendations addressed to the Board of Examiners in Optometry (BEO) for the state of Alaska. The board's termination date should be extended to June 30, 2022. The director of the Division of Corporations, Business and Professional Licensing should continue efforts to improve the investigative case management system's integrity and confidentiality. Since this recommendation is not within the scope of the BEO, I cannot indicate methods used to best remediate the integrity and confidentiality of the investigative case management system or provide a scheduled completion date relative to remediation implementation.

However, the BEO will continue to regularly review optometry statutes and regulations to assure that state laws are adequately protecting the public and properly regulating the modern practice of optometry in the state of Alaska. The BEO will also continue to make recommendations for changes to legislative statutes for the Legislative Budget and Audit Committee as deemed appropriate to best protect the public and best regulate the practice of optometry evolving in the state of Alaska.

Sincerely,

James C. Graves, O.D.

James C. Graves, OD
Chair
Board of Examiners in Optometry

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