

Kansas Administrative Regulations

Board of Examiners in Optometry

Article 5.—Licenses

65-5-15. Reciprocal licenses; active practice requirements.

(a) Each applicant seeking a reciprocal license shall demonstrate their active practice in another state, district or territory of the United States by submitting evidence showing that the applicant has been engaged in direct patient care during the time period required by K.S.A. 65-1505(d) or any other time period provided by applicable law. Direct patient care shall consist of at least one of the following on an annual basis, or the substantial equivalent as determined by the board in accordance with subsection (b):

- (1) At least 1 full day per week, or its equivalent, for at least 50 weeks; or
- (2) a total of 400 hours.

(b) The totality of circumstances may be considered by the board in determining whether the applicant has been engaged in active practice, including gaps in practice necessitated by military service, family leave taken due to the birth of a child of the applicant, or the placement of a child for adoption or foster care with the applicant.

(c) The following shall not qualify as active practice:

- (1) Patient care provided while the applicant is engaged in a training program;
- (2) employment that consists solely of research activities that would not otherwise be considered direct patient care; and
- (3) employment that consists solely of administrative duties.

(d) An applicant's practice in any other state, district or territory of the United States shall not qualify as active practice during the existence of any of the following conditions:

- (1) The applicant's license is limited, suspended, or revoked in any other state, district or territory of the United States or has been surrendered in any other state, district or territory of the United States at the time of application.

(2) The applicant's authority to utilize controlled substances issued by any state, district or territory of the United States, or a federal agency has been surrendered as a result of the applicant's practice in any other state, district or territory of the United States.

(3) The applicant is subject to an agreement for a limitation to or restriction of privileges at any medical facility or medical care facility as a result of the applicant's practice in any other state, district or territory of the United States.

(4) The applicant's membership on any professional staff or in any professional association or society has been revoked or surrendered while under investigation as a result of the applicant's practice in any other state, district or territory of the United States.

(Authorized by K.S.A. 74-1504; implementing K.S.A. 65-1505; effective Aug. 30, 2024.)

***** Authenticated Kansas Administrative Regulation *****