

JOHN R. MCGINLEY, JR., ESQ., CHAIRMAN  
ALVIN C. BUSH, VICE CHAIRMAN  
DANIEL F. CLARK, ESQ.  
ARTHUR COCCODRILLI  
MURRAY UFBERG, ESQ.  
ROBERT E. NYCE, EXECUTIVE DIRECTOR  
MARY S. WYATTE, CHIEF COUNSEL



PHONE: (717) 783-5417  
FAX: (717) 783-2664  
irrc@irrc.state.pa.us  
<http://www.irrc.state.pa.us>

**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 15, 2004

Steven J. Reto, O.D., Chairman  
State Board of Optometry  
2601 North 3rd Street  
Harrisburg, PA 17110

Re: Regulation #16A-5211 (IRRC #2354)  
State Board of Optometry  
Continuing Education, Fees, Certification to Treat Glaucoma

Dear Chairman Reto:

The Independent Regulatory Review Commission approved the subject regulation today. Our Order is enclosed and will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush  
Vice Chairman

sfh

Enclosure

cc: Honorable Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Thomas P. Gannon, Majority Chairman, House Professional Licensure Committee  
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee  
Honorable Pedro A. Cortes, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 15, 2004

John R. McGinley, Jr., Esq., Chairman, by Phone  
Alvin C. Bush, Vice Chairman  
Daniel F. Clark, Esq.  
Arthur Coccodrilli  
Murray Ufberg, Esq.

Regulation No. 16A-5211  
State Board of Optometry  
Continuing Education, Fees,  
Certification to Treat Glaucoma

On August 26, 2003, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Optometry (Board). This rulemaking amends 49 Pa. Code Chapter 23. The proposed regulation was published in the September 6, 2003 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 26, 2004.


This regulation sets forth the requirements for obtaining therapeutic certification to treat glaucoma and updates continuing education requirements. These revisions were mandated by Act 225 of 2002. In addition to codifying the statutory mandates, the regulation pre-approves continuing education courses offered by certain providers and establishes a \$25 application fee for certification to treat glaucoma.

We have determined this regulation is consistent with the statutory authority of the State Board of Optometry (63 P.S. § 244.3) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
\_\_\_\_\_  
Alvin C. Bush, Vice Chairman