

FREQUENTLY ASKED QUESTIONS INDEX

These are frequent questions from licensees which have been addressed by the Board. For more complete information, please refer to *Miss. Code Ann. §73-19-1 et seq.*, and the MSBO Rules and Regulations found on the website. Section 73-19-9, MCA (1972) as amended, authorizes the MS State Board of Optometry to make rules and regulations as may be necessary to carry out the provisions of the Optometry Act.

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FREQUENTLY ASKED QUESTIONS

AED Requirements

Am I required to have an AED in my office?

An in-person and hands-on AED course is required, and an AED device must be easily accessible for PEP-certified optometrists if they are performing PEP procedures within their business. Temporary Rule 4.2.(c), [here](#).

Contact Lens

What regulations are in place for contact lens prescriptions?

Rule 6.1, click [here](#)

Do I have to give my patient their contact lens prescription if it has expired?

A contact lens prescription is valid for one (1) year. Rule 6.1.(d).

Please refer to the FTC Contact Lens Rule 16 C.F.R. Part 315

If a prescription has expired is the OD / clinic still required to give it to the patient?

A contact lens prescription is valid for one (1) year. Rule 6.1.(d).

A spectacle prescription is valid for two (2) years. Rule 6.2.(c).

Please refer to the FTC Contact Lens Rule 16 C.F.R. Part 315

Please refer to the FTC Eyeglass Rule 16 C.F.R. Part 456

If a patient loses their copy of the prescription, can the OD charge to give them another printed copy? (This was in reference to a prescription being lost multiple times)

The FTC states: You have the right to get an additional copy of your contact lens prescription. If you need another copy of your contact lens prescription, or a business has your permission to get a copy, your prescriber has 40 business hours from the time of the request to send it [\[https://consumer.ftc.gov/articles/buying-prescription-glasses-or-contact-lenses-your-rights#right\]](https://consumer.ftc.gov/articles/buying-prescription-glasses-or-contact-lenses-your-rights#right)"

Please refer to the FTC Contact Lens Rule 16 C.F.R. Part 315

CPR Requirements for Renewal

Is there a change in the CPR requirement for 2025?

Yes, the rule will return to in-person, face-to-face, hands-on CPR for 2025.

Can I take CPR online?

No. Effective January 2025, CPR training must be hands-on, face-to-face, in-person. You will receive two (2) hours for this training for which you may use one (1) hour for your current renewal and one (1) hour for your next renewal.

Note: Revised rules, reformatted in compliance with Secretary of State Administrative Procedures Act.

Complaints

How do I report illegal contact lens sales?

To report illegal contact lens sales in Mississippi, you can contact the Federal Trade Commission (FTC), the Food and Drug Administration (FDA), or the Mississippi State Board of Optometry (only in the case where the optician is working directly for a licensed optometrist which is prohibited by Rule 8.3 which requires complete and separate operation from the business of any dispensing optician). The American Optometry Association also has a contact lens watchdog group to track and report illegal sales. You can reach the AOA at stopillegalCLS@aoa.org.

How do I report someone filling expired (contact lens / spectacle) prescriptions?

To report illegal contact lens sales in Mississippi, you can contact the Federal Trade Commission (FTC), the Food and Drug Administration (FDA), or the Mississippi State Board of Optometry (only in the case where the optician is working directly for a licensed optometrist which is prohibited by Rule 8.3 which requires complete and separate operation from the business of any dispensing optician). The American Optometry Association also has a contact lens watchdog group to track and report illegal sales. You can reach the AOA at stopillegalCLS@aoa.org.

Can an anonymous complaint be made to the Board?

No. MCA § 73-19-33 Complaints, irrespective of source, touching upon the professions conduct or conduct evincing unfitness for the practice of optometry, shall be investigated for action, as may be appropriate. The complaint must be in writing and signed by the person making the complaint or charge and shall contain the address, phone number and additional information about the complaining party and each witness. Refer to Rule 5.1 [here](#). The complaint form may be found on the website or by clicking [here](#).

Continuing Education

Do PEP CE hours count as therapeutic CE hours?

If you are not PEP certified and do not need the required six (6) hours of PEP CE hours, yes, you may apply these toward your therapeutic hours

I took a course online from another CE provider. Does it qualify for PEP hours?

Courses sponsored by individual providers may be approved but must supply the board with a synopsis of the lecture material to be presented, as well as resumes of the lecturers. Rule 4.1.(b)(7). This must be submitted at least thirty (30) days in advance of the course. Other meetings or seminars either within or outside the State of Mississippi that must be approved in advance by the Board at least thirty (30) days prior to the meeting or seminar. A copy of the program, names of speakers with qualifications, subject matter covered by each speaker and class hours to be offered by each, proof of attendance procedures and the proposed form of the signed attendance certificates procedure and the proposed form of the signed attendance certificates to be used; and the legal name, mailing and street address and telephone number of the sponsor of such program shall be included as part of the written request and the request application must be signed by the sponsor or a duly authorized officer

of the sponsor. The Board, in approving may limit the credit hours allowed for any meeting, seminar, or subject under this item. Rule 4.1.(b)(9).

CPT Codes

At one point, the MSBO provided CPT codes in its rules for services authorized. Why were these eliminated?

To allow Optometrists to accurately bill for services as outlined in the Current Procedural Terminology (CPT), Healthcare Common Coding System (HCPCS) and ICB10-CM national coding guidelines. The MSBO does not have jurisdiction over the accurate billing for services. The licensee optometrist should refer to this system for accurate coding and billing guidelines (Rule 10.1)

Equipment – Reason the Board Requires a List of Equipment

Why am I required to provide a listing of equipment in all practice locations?

Section 73-19-9, MCA (1972) as amended, authorizes the Mississippi State Board of Optometry to make rules and regulations as may be necessary to carry out the provisions of the Optometry Act. Per Rule 9.2, each optometrist must have the equipment to practice due to the current standard of care to include but not limited to the following: An Ophthalmoscope, a retinoscope; an Ophthalmometer or Keratometer and a Refractor, or a trial frame with trial case auxiliary prisms and lenses, test objects of Stereopsis and fusion charts for distance and near visual acuity, Pseudoisochromatic charts for color vision, Tangent screen or Perimeter, Tonometer and a Biomicroscope (slit lamp). Every such examination must be done in an optometric office, and in a room of such office used exclusively for the practice of optometry. Provided that if a person desiring optometric services informs an optometrist that by reason of sickness or other cause they are confined to his or her their place of abode, said optometrist may make said examination at the place of abode of said person. Provided further, that said optometrist must have available at said place of abode for said examination the following minimum equipment, to include but not limited to: An Ophthalmoscope, a Retinoscope, a suitable astigmatic test and a reliable trial frame and lenses adequate for determining proper diagnosis. [Rule 9.2] [MCA § 73-49-3].

Floor Plans – Reasons for Floor Plans

1. Miss. Code Ann §73-19-9 *authorizes the Board to make rules and regulations as may be necessary to carry out the provisions of MCA §73-19 et seq.*
2. Miss. Code Ann § 73-19-23(2). *The Board shall be authorized to take disciplinary action against a licensee for any unlawful violation acts, which shall include violations of regulations promulgated by the Board, as well as the following acts: (q) Failure to report to the Board the relocation of his or her office in or out of the jurisdiction, or to furnish floor plans as required by regulation.*
3. Rule 5.5.d. *All primary eyecare procedures or administration will be performed within the floor plan and include a previously established doctor-patient relationship or inclusion of such unless under emergency circumstances.*
4. Rule 8.15. *Any person licensed to practice optometry in this State shall, and at least fourteen (14) days prior to the change, send written notice to the Board of any change in telephone number, business street address, and/or mailing address for any office⁴ (including branch offices) in which they practice and the*

effective date of such change. Floor plans must be provided upon request for validation of compliance with the rules of the Board.

5. *Rule 9.5. Floor plans must be provided to the Board upon request.*

Initial License

I am an optometrist licensed in another state who will be applying for licensure by endorsement (reciprocity) in Mississippi and I wish to be credentialed to perform authorized ophthalmic YAG laser posterior capsulotomy procedures. What evidence do I need to provide in order to obtain the PEP certification?

MCA §73-19-193 An optometrist licensed in another state who applies for licensure by endorsement in Mississippi shall be credentialed to perform authorized ophthalmic YAG laser posterior capsulotomy procedures if the applicant provides proof that:

- 1. The applicant holds an active license in good standing by another state; and*
- 2. The applicant is credentialed by that state to perform ophthalmic YAG laser posterior capsulotomy procedures; and*
- 3. The requirements in the state of licensure for performing ophthalmic YAG laser posterior capsulotomy procedures meet or exceed the requirements in Section 73-19-191; or*
- 4. The applicant has satisfactory outcome data from prior ophthalmic YAG laser posterior capsulotomy procedures.*

"Does/Did the Mississippi State Board of Optometry get affidavits from schools to prove that AP courses were taught? Or do they do anything to "prove" they were taught in the schools?

Thirty-two (32) hour course exemptions may be considered for qualifying optometry graduates from 2022 and after, if candidates' institutions have signed and filed an affidavit attesting to curriculum inclusion of such course equivalent. The exemption is good for a period of two (2) years from graduation date to certification date.

I have a place in Mississippi and hold a license in a contiguous state. I am starting to plan towards retirement to Mississippi; however, I would like the ability to see patients on occasion when I am in Mississippi. What are my options?

There are three (3) different options for entrance into licensure in the State of Mississippi.

- 1. Reciprocity. This will allow you to practice in Mississippi under a regular license once you have submitted the documents required under Rule 1.7.*
- 2. Universal Recognition of Occupational Licensing Act (UROLA). This method of entry will provide you with a temporary practice permit up to three hundred sixty-five (365) days under certain conditions.*
- 3. Regular licensure. This is available for new applicants as well as individuals who choose to use the standard method of entry into Mississippi and is granted when conditions of Rule 1.2 are met.*

Examinations are given in the second week of January and July. Many applicants choose to begin the application process well in advance (5-6 months) so that the source documents can be received prior to test dates. The application for examination and licensure must be complete and submitted no later than thirty (30) days prior to the scheduled examination date. If you practice PEP procedures, PEP certification requirements must also be met.

Lost and Expired Prescriptions

If a patient loses their copy of the prescription, can the OD charge to give them another printed copy? (This was in reference to a prescription being lost multiple times.)

The FTC states: You have the right to get an additional copy of your contact lens prescription. If you need another copy of your contact lens prescription, or a business has your permission to get a copy, your prescriber has 40 business hours from the time of the request to send it [<https://consumer.ftc.gov/articles/buying-prescription-glasses-or-contact-lenses-your-rights#right>]" Note: The validity of the contact or spectacle prescription]

Please refer to the FTC Contact Lens Rule 16 C.F.R. Part 315

Please refer to the FTC Eyeglass Rule 16 C.F.R. Part 456

Opening, Closing, or Selling a Practice

I am opening a practice. What procedures do I need to follow with MSBO?

Refer to the Standards of Practice, Chapter 9.2 of the Rules and Regulations

What procedures do I need to follow when selling my practice?

Notify the Board in writing. Also advise the Board if you will be retiring or moving to another location to practice which will require a license certificate. (Rule 8.15; Rule 9.4)

PEP Certification

I am PEP credentialed. How do I access the YAG review videos from Dr. Lighthizer (commissioned by MSBO for PEP credentialing)?

You receive the YAG review videos at the time that you apply to take the PEP certification examination by MSBO and pay the required fee. Additional videos are not available through MSBO.

Are PEP procedures authorized for me as a Mississippi optometrist?

Yes, if you have met the requirements for PEP certification.

How do I become PEP credentialed?

MSBO requires certification to perform primary eyecare procedures and certain administration. The certification process will include the credentialing process to perform the authorized ophthalmic surgery procedure YAG laser posterior capsulotomy and require:

1. Proof of holding a Mississippi license to practice therapeutic optometry and is in good standing;
2. Proof of satisfactory completion of a course of instruction as approved by the Board (see Board-approved course of instruction in Rule 1.4.5 [here](#);
3. satisfactorily completes a written test approved by the Board on aspects pertaining to primary eyecare procedures including YAG laser posterior capsulotomy and injectable pharmaceuticals;
4. Passes a clinical skills assessment as it pertains to YAG laser posterior capsulotomy that is approved by the Board;

5. Participates in eight (8) additional hours of working under a preceptor who is either an ophthalmologist or licensed credentialed optometrist and completed within three (3) months of passage of skills assessment;
6. Thirty-two (32) hours exemptions may be considered for qualifying optometry graduates from 2022 and after, if candidates' institutions have signed and filed an affidavit attesting to curriculum inclusion of such course equivalent. The exemption is good for a period of two (2) years from graduation date to certification date; and
7. In case of failure, the Board will make available a re-test within ninety (90) days. In case of a second failure, the applicant must repeat the certification process, including all fees; and
8. Such other requirements as may be determined by the board. [MCA §73-19-191]

Pharmaceutical Agent Certification

What is the date that ODs started receiving training to be TPA (Therapeutic Pharmaceutical Agents) certified?

MCA §§ 73-19-151; 73-19-165 Enacted July 1, 1994 – Use of Therapeutic Pharmaceutical Agents (TPA)

Does Mississippi require an optometrist to have a DEA license?

The U.S. Drug Enforcement Agency (DEA) has determined that TPA-certified Doctors of Optometry are eligible for a mid-level practitioner DEA number. TPA-certified optometrists are required to have a DEA registration number in order to prescribe oral analgesics that contain codeine, hydrocodone or tramadol.

Note: Refer to the document [here](#) between MSBO (Optometry and MSBP (Pharmacy) regarding DEA requirements and penalties.

Record Keeping Requirements

How long am I required to keep patient records for an adult?

A minimum of two (2) years pursuant to Rule 8.6.C.7 and Rule 8.6.D; and Cannabis Rule 12.4 – minimum of seven (7) years from the date of completion or the last certification occurred.

How long am I required to keep patient records for a minor?

A minimum of two (2) years pursuant to Rule 8.6.C.7 and Rule 8.6.D; and cannabis Rule 12.4 – minimum of seven (7) years from the date of completion or the last certification occurred.

The OD in my office is deceased - what do I do with the current patient records?

1. Refer to Rule 8.6.(c) which sets forth the requirements of patient records for complete detail regarding the responsibilities for patient records - transfer or death.
2. Rule 8.6.(b)(2). Notice to the patient shall specifically identify the new location of the optometrist's practice or the location at which the patient may obtain their records.
3. Rule 12.4 – minimum of seven (7) years from the date of completion or the last certification occurred.

Relocation of Main or Branch Practice Locations

What do I need to do to PRIOR TO relocation of a main or branch practice location?

Rule 8.15 requires that any person licensed to practice optometry in this State shall, and at least fourteen (14) days prior to the change, send written notice to the Board of any change in floor plan; office telephone number, business street address; mailing address; and contact information for any office in which he practices and the effective date of the change.

Renewal

How do I submit my ARBO hours to MSBO for license renewal?

ARBO hours are automatically uploaded on your behalf.

How do I submit my non-COPE hours to MSBO for license renewal?

You are required to upload the certificate of completion at the time of renewal – remember that non-COPE hours must be pre-approved unless they were taken at a national, regional or state conference or at a school of optometry/teaching institution. [Rule 4.1]

I have turned in my license renewal paperwork/application. When will I receive my new license certificate?

If you have completed all requirements for renewal, you will receive an automated notification within five (5) days that provides the date of renewal, the license number, your name, your current status, the issue date, your new expiration date, TPA number and if any disciplinary action has been taken against your license. If you did not receive this notification within five (5) days, notify the Board.

What are the CE requirements for 2025?

Check [here](#) for the website link.

Service Delivery

Do Mississippi regulations allow or disallow electronic delivery of prescriptions?

The rules and regulations do not specifically address electronic delivery of prescriptions. Please refer to Rule 6.1(a) (contacts) and 6.2(a) (spectacles) concerning spectacle prescriptions in the current Rules and Regulations which can be found on the website.

Does the Board have requirements when dismissing a patient?

MSBO rules and regulations do not dictate the process to follow for dismissing a patient for any reason. However, this should be conducted in a professional and ethical manner. Refer to Rule 8.6(b) regarding more detail relating to your responsibilities to the patient.

Spectacle

What regulations are in place for spectacle (glasses/frames) prescriptions?

Click [here](#) (Rule 6.2).

Do I have to give my patient their contact lens/spectacle prescription if it has expired?

A spectacle prescription is valid for two (2) years. Rule 6.2.(c).

If a patient loses their copy of the prescription, can the OD charge to give them another printed copy? (This was in reference to a prescription being lost multiple times)

The FTC states: You have the right to get an additional copy of your contact lens prescription. If you need another copy of your contact lens prescription, or a business has your permission to get a copy, your prescriber has forty (40) [Pharmacy Board letter.html](#) business hours from the time of the request to send it [<https://consumer.ftc.gov/articles/buying-prescription-glasses-or-contact-lenses-your-rights#right>]"

Please refer to the FTC Contact Lens Rule 16 C.F.R. Part 315

Please refer to the FTC Eyeglass Rule 16 C.F.R. Part 456

Scope of Practice

For Scope of Practice inquiries, see MCA §73-19-1 et seq.

Can ODs in your state use a **scalpel** to cut/remove/treat lid lesions, lumps and bumps?

If you are PEP certified and believe you possess the sufficient education and professional competence to do so. Refer to Rule 1.1(g)

Can ODs in your state use **injection** of kenalog or other pharmaceutical agents (no cosmetic fillers) to treat lid lesions, lumps and bumps?

If you are PEP certified and believe you possess the sufficient education and professional competence to do so. Refer to Rule 1.1(g)

Can ODs in your state use **topical chemical medication** to REMOVE the lesion (example: liquid nitrogen or other)?

If you are PEP certified and believe you possess the sufficient education and professional competence to do so. Refer to Rule 1.1(g)

Does MSBO scope allow for the implant of medicated (steroid) **punctual plugs**?

Yes. If it is rational to the treatment of conditions or diseases of the eye or eyelids. Refer to 73-19-1(a)(b).

Can ODs use **radiofrequency** for dry eye?

If you believe you possess the sufficient education and professional competence to do so. Refer to Rule 1.1(g)

WINDOW TINTING

What are the general provisions for windows and window glass; windshield wipers; and tinted or darkened windows?

Refer to Miss. Code 1972 (2023), Title 63 – Motor Vehicles and Traffic Regulations; specifically, Section 63-7-59 *from and after July 1, 2006, no person shall drive any motor vehicle required to be registered in this state with any window tinted or darkened, by tinted film or otherwise, unless: a) has a light transmittance of 28% or more; or b) the owner or operator of the vehicle has a certificate of medical exemption issued under subsection (4) of this section (it shall be lawful for any person who has been **diagnosed by a physician licensed to practice medicine** in the State of Mississippi as having a physical condition or disease that is seriously aggravated by minimum exposure to sunlight to place or have placed up the windshield or windows of any motor vehicle which he owns or operates or within which he regularly travels as a passenger tinted film or other darkening material that would otherwise be in violation of this section.*