

## 22 PROPOSED REGULATIONS

None.

### UNCERTAINTIES OF ESTIMATES:

None.

### EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

None.

### DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:

None.

### Statement of Rationale:

Regulation 16-10 will be added to procure independent appraisal services.

### Text:

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.

Document No. 5272

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
SOUTH CAROLINA BOARD OF EXAMINERS IN OPTICIANRY  
CHAPTER 96**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-38-60

96-104. General Licensing Provisions.

96-108. Continuing Education.

96-109. Fees.

### Preamble:

The Board of Examiners in Opticianry proposes to repeal R.96-104 as it is duplicative of statute and therefore unnecessary. The Board further proposes to amend R.96-108 to clarify the requirements for continuing education (CE) courses for licensees and the approval process for those courses, and to amend R.96-109 to delete the reference to a Board web address that is no longer active.

### Section-by-Section Discussion:

96-104. Repeal.

96-108(A)-(B). No change.

96-108(C). Strike existing language and replace with language explaining criteria necessary for Board-approval of continuing education courses.

96-108(D). Strike existing language and replace with language granting licensees living outside the US a temporary waiver for continuing education and requiring them to obtain the continuing education for each twelve-month period they were overseas once they return to the US.

96-108(E). Strike existing language.

96-109. Strike outdated reference to website.

A Notice of Drafting was published in the *State Register* on May 24, 2024.

**Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such a hearing will be conducted at the Administrative Law Court at 10:00 a.m. on August 27, 2024. Written comments may be directed to Patrice Deas, Board Executive, Board of Examiners in Opticianry, South Carolina Department of Labor, Licensing and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1289, no later than 5:00 p.m., July 29, 2024. If qualifying requests pursuant to Section 1-23-110(A)(3) are not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Need and Reasonableness:**

These regulations are necessary to repeal R.96-104 as it is duplicative of statute and therefore unnecessary. The Board further states it is necessary to amend R.96-108 to clarify the requirements for continuing education (CE) courses for licensees and the approval process for those courses, and to provide guidance to licensees living overseas regarding a CE waiver while out of the country and obtaining the CE upon return. Finally, the Board states it is necessary to amend R.96-109 to delete the reference to a Board web address that is no longer active.

**DESCRIPTION OF REGULATION:**

**Purpose:** The Board of Examiners in Opticianry proposes to repeal R.96-104 as it is duplicative of statute and therefore unnecessary. The Board further proposes to amend R.96-108 to clarify the requirements for continuing education (CE) courses for licensees and the approval process for those courses, and to provide guidance to licensees living overseas regarding a CE waiver while out of the country and obtaining the CE upon return. Finally, the Board proposes to amend R.96-109 to delete the reference to a Board web address that is no longer active.

**Legal Authority:** 1976 Code Sections 40-1-70 and 40-38-60.

**Plan for Implementation:** The revised regulations will take effect upon approval by the General Assembly and upon publication in the *State Register*. LLR will notify licensees of the revised regulation and post the revised regulations on the agency's website.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The proposed regulations will repeal R.96-104 as it is duplicative of statute and therefore unnecessary. The proposed regulations will amend R.96-108 to clarify the requirements for continuing education (CE) courses for licensees and the approval process for those courses, and to provide guidance to licensees living overseas regarding a CE waiver while out of the country and obtaining the CE upon return. Finally, the proposed regulations will amend R.96-109 to delete the reference to a Board web address that is no longer active.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state for the promulgation of these regulations.

**UNCERTAINTIES OF ESTIMATES:**

## **24 PROPOSED REGULATIONS**

There are no uncertainties of estimates concerning the regulations.

### **EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment.

### **DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

### **Statement of Rationale:**

The updated regulations will repeal R.96-104 as it is duplicative of statute and therefore unnecessary. The updated regulations will amend R.96-108 to clarify the requirements for continuing education (CE) courses for licensees and the approval process for those courses, and to provide guidance to licensees living overseas regarding a CE waiver while out of the country and obtaining the CE upon return. Finally, the updated regulations amend R.96-109 to delete the reference to a Board web address that is no longer active.

### **Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.php>. Full text may also be obtained from the promulgating agency.