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646 FINAL REGULATIONS

Document No. 4925
DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF EXAMINERS IN OPTICIANRY
CHAPTER 96

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

96-105. Examinations.

96-106. Apprenticeship Registration and Program Provisions.

Synopsis:

The South Carolina Board of Examiners in Opticianry proposes to amend R.96-105 regarding examinations and R.96-106 regarding apprenticeships.

A Notice of Drafting was published in the *State Register* on September 27, 2019.

Instructions:

Replace regulation as shown below. All other items and sections remain unchanged.

Text:

96-105. Examinations.

(A) All applicants for initial licensure must take and pass a Board-approved opticianry competency examination and a Board-approved examination in practical areas of opticianry. The opticianry competency examination may be taken while the applicant is a registered apprentice or is attending a two-year opticianry school. The practical examination may be taken after submission of a completed application for licensure as an optician.

(1) The opticianry competency examination may be taken as many times and as often as necessary until the applicant passes it.

(2) If the practical examination is not passed after two attempts, an applicant must obtain Board approval to re-take the examination for the third and any subsequent attempts. The Board shall require additional training, work or study prior to approving the applicant to re-examine.

(B) All applicants for additional licensure as contact lens dispensing opticians must also take and pass a qualifying contact lens examination. The examination may be taken as many times and as often as necessary until the applicant passes it.

96-106. Apprenticeship Registration and Program Provisions.

(A) A South Carolina Registered Apprenticeship commences upon written Board approval, and includes supervised work experience and a formal education program. The Apprentice must:

(1) be registered and approved in writing before the apprenticeship commences; and

(2) complete two (2) continuous years of directly supervised work experience in full-time employment training, which is defined as a minimum of thirty-two (32) hours per week, or three (3) continuous years of directly supervised work experience in part-time employment training, which is defined as a minimum of twenty-one (21) hours per week but less than thirty-two (32) hours per week; and

(3) complete and submit proof of completion of a Board approved formal education program in opticianry; and

(4) serve the apprenticeship under the direct supervision of an approved South Carolina licensed optician, optometrist, or ophthalmologist who does not train more than two (2) registered apprentices at a time; and

(5) timely complete the apprenticeship requirements within two (2) years for a full-time apprentice or three (3) years for a part-time apprentice. The apprentice must submit a final evaluation signed by the primary sponsor within sixty (60) days of the completion of the apprenticeship. The Board may extend the apprenticeship for an

additional year upon request of the apprentice for good cause shown, and payment of a fee as specified by the Board.

(B) Any applicant desiring to be registered in the apprenticeship program must:

(1) submit an application on a form approved by the Board, along with the required fee; and
 (2) submit proof satisfactory to the Board that the applicant is a graduate of an accredited public or private high school or secondary school of an equal grade approved by the Board or completed an equivalent course of study approved by the Board; and

(3) submit an apprenticeship agreement on a form approved by the Board, signed by the apprentice and by the South Carolina licensed optician, optometrist or ophthalmologist to be approved as the sponsor(s), verifying the sponsor's ability to supervise the apprenticeship and to conduct training for the applicant in accordance with the requirements stipulated by the Board, and that the sponsor(s) have facilities and equipment determined by the Board to be adequate for training ; and

(4) submit, upon the request of the Board, proof that the apprenticeship has not been altered or otherwise changed from the Board-approved apprenticeship program; and

(5) submit an evaluation, on a form approved by the Board, of the apprenticeship six (6) months after the date of the commencement of the apprenticeship signed by the apprentice and the approved primary sponsor. Subsequent evaluations must be submitted every six (6) months until completion of the apprenticeship, at which time the final evaluation must be submitted. Failure to timely submit signed evaluations may result in the Board rescinding the approval of the apprenticeship; and

(6) submit to the Board, within six (6) months after the date of the commencement of the apprenticeship, evidence of enrollment in a Board approved formal education program in opticianry. Failure to timely enroll and submit evidence to the Board as required may result in the Board rescinding approval of the apprenticeship. All formal education programs not approved by the Board must be submitted for the Board review and approval prior to the apprenticeship commencement.

(C) The Board shall consider the following criteria when approving an apprenticeship:

(1) documentation of the primary and, if applicable, secondary sponsor's agreement to supervise and to conduct training in accordance with program requirements as stipulated by the Board; and

(2) facilities and equipment of the apprenticeship location(s); and

(3) enrollment in a Board approved formal education program in opticianry.

(D) Any change in the information supplied in the apprenticeship application shall be immediately transmitted to the Board by the approved optician, optometrist or ophthalmologist responsible for the apprentice. If a change in sponsor occurs or the sponsor/apprentice agreement is terminated, the primary sponsor must submit notification to the Board of the change and documentation of apprenticeship time completed. Failure to submit notification may affect the Board's approval of the licensed optician, optometrist, or ophthalmologist's sponsorship of current or future apprentices.

(E) The Board may rescind its approval of any apprenticeship or apprenticeship program when the training requirements are not being met, when it determines that the facilities and equipment available to the apprentice are not adequate, when the apprentice is not being properly trained or supervised by an approved sponsor, or when the apprentice is engaged in conduct which would cause the Board to discipline a licensed optician.

(F) Apprentices who fail to submit a completed application for licensure in opticianry within three (3) years of the apprenticeship completion date may be required to recommence the apprenticeship program and meet all requirements as stated in 96-106(B).

Fiscal Impact Statement:

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

Statement of Rationale:

The updated regulations will clarify the number of times applicants for licensure may take the competency and practical exams and when they may take them. The updated regulations will also establish requirements for apprenticeships. Specifically, they: describe the parameters for full-time and part-time programs; establish requirements and time lines for evaluation forms which must be completed, signed by the apprentice and the

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sponsor, and submitted to the Board to provide sufficient proof of training; and provide the criteria which the Board will consider in approving an apprenticeship, among other things.

Document No. 4926
DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF PHARMACY
CHAPTER 99

Statutory Authority: 1976 Code Sections 40-1-70, 40-43-60(C), (D)(5) & (D)(8), and 40-43-86(B)

99-47. Compounding of Veterinary Drug Preparations.

Synopsis:

The South Carolina Board of Pharmacy proposes adding a regulation regarding compounding medications for use in veterinary practice.

A Notice of Drafting was published in the *State Register* on June 28, 2019.

Instructions:

Print regulation as shown below. All other items and sections remain unchanged.

Text:

99-47. Compounding of Veterinary Drug Preparations.

A. A licensed pharmacist, practicing in a permitted pharmacy, may compound veterinary drug preparations to be used by veterinarians in their offices for administration to animals.

B. Compounded office use drug preparations may be dispensed by a veterinarian to an owner of an animal for the treatment of a bodily injury or disease of the animal only in an urgent or emergency situation for use in a single course of treatment, not to exceed a 168-hour supply.

C. The compounded veterinary drug preparations may not be distributed by an entity other than the pharmacy that compounded such veterinary drug preparations. This does not prohibit administration of a compounded drug preparation in a veterinary health care setting or dispensing of a compounded drug preparation pursuant to a prescription drug order executed in accordance with federal and state law.

Fiscal Impact Statement:

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

Statement of Rationale:

The updated regulations will clarify that pharmacists may compound office use drug preparations for veterinarians, which may be dispensed by the veterinarian in certain circumstances.