

STATE OF NEVADA

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DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF OPTOMETRY

NOTICE OF INTENT TO ACT UPON PERMANENT REGULATION

Notice of Hearing for the Adoption of

R007-25¹

[R007-25P.pdf](#)

Pursuant to NRS 233B.060(1)(b), the Nevada State Board of Optometry will hold a public hearing at **12:15pm (pst) on the 25th day of September 2025** through remote and in-person means:

Nevada Business Center
Tahoe Room
3300 W. Sahara Ave., 4th Floor
Las Vegas, Nevada 89102

<https://us06web.zoom.us/j/82875184696?pwd=AbwPT8ZwleID3Bic7jLlyhx85GlgaM.1>

Meeting ID: 828 7518 4696
Passcode: 465815

Telephone: 1 669 900 6833

The purpose of the hearing is to receive comments from all interested persons regarding **R007-25** which pertain to chapter 636 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

(1)(a)(1) The need and purpose of the proposed regulation or amendment.

NRS/NAC 636 govern optometry. R007-25, previously identified as R066-19(8), which was already the subject of oversight and Legislative Counsel Bureau (LCB) adoption in 2019-2020 and an effective date of 10/24/2022, governs how continuing education (herein "CE") hours are credited to licensees for purposes of biennial license renewal requirements.

R066-19 has yet to be codified, so the Board seeks additional clarification on this topic for its membership and all interested persons with the subject modifications to: 1) align with national standards² of 70% minimum passing scores for asynchronous courses; and 2) clarify that "in person" includes synchronous videoconference courses. Synchronous CE courses, be it a licensee's actual in-

1 Previously identified and/or known as R066-19(8)(4)

2 [COPE+Course+Qualification+Manual+12.2022+FINAL.pdf](#) at page 19 ("Post Course tests must receive a score of at least 70% or better in order for a certificate of completion to be issued.")

person attendance or virtual in-person attendance via an internet platform such as Zoom or Teams or similar videoconferencing, are exempt from the testing requirement offered at the conclusion of a CE course in order for a licensee to receive credit.

(1)(a)(2) If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and the issues involved

N/A. The proposed regulation is not temporary.

(1)(a)(3) If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

The proposed regulation is permanent.

Publicly available at the Nevada State Board of Optometry's website at www.nvoptometry.org under its Board Meetings tab;

Contacting the Nevada State Board of Optometry at admin@nvoptometry.org and requesting a copy.

Faxing the Nevada State Board of Optometry at 775-305-0105 and requesting a copy;

Calling the Nevada State Board of Optometry at 775-883-8367 and requesting a copy;

Publicly available at the Nevada State Library, Archives and Public Records, 100 N. Stewart Street, Carson City, Nevada during business hours;

Publicly available at the office of the Nevada State Board of Optometry at 6170 Mae Anne Ave., Ste. 1, Reno, NV 89523 during business hours;

Publicly available at the State of Nevada Register of Administrative Regulation's website at www.leg.state.nv.us/register/;

Notice website at notice.nv.gov;

Via U.S. Postal Service to members of the public at no charge upon request. No such request has occurred at the time of issuance of this Notice.

(1)(a)(4) The estimated economic effect of the regulation on the business in which it is to regulate and on the public. These must be stated separately and in each case must include:

(I) Adverse and beneficial effects on optometry-

The Board does not perceive that CE credits' minimum passing scores for asynchronous courses will have any adverse economic effects, nor does clarifying that in-person attendance for synchronous CE courses can also include in its definition virtual attendance via video- conferencing platform.

Adverse and beneficial effects on the public-

The Board does not perceive any adverse effects on the public. This regulation is unique to optometrists and obtaining sufficient CE credits in order to be licensed for the then-upcoming biennial cycle. To the extent any effects on the public are seen, the modifications ensure for the protection of the profession and the public that licensees in Nevada: 1) have nationalized standard passing scores for their asynchronous CE courses (*see* footnote 1); and 2) can obtain credit by attending virtually on a videoconference platform for synchronous online CEs, potentially allowing licensees additional time to see patients if not required to attend all CEs in-person.

(II) Immediate and long-term effects on optometry-

Although not formally codified by LCB yet, R066-19 became effective on 10/24/2022. The

minimum passing score as stated in R066-19(8)(4) of 75% being changed to R007-25's proposed 70% will align Nevada into national conformity on this issue. *See* footnote 2. CE presenters or companies are already in the stream of commerce in Nevada, and the change of a passing score from 75% to 70% will not affect their business models. Clarifying that in-person attendance for synchronous CE courses can include virtual attendance via videoconferencing platform will likewise not affect the provision of optometry services.

Immediate and long-term effects on the public-

The Board considers the proposed changes in the regulation to have more impact on a licensee's CE hours than having any impact on the public. R066-19(8)(4) in its 2020 form is already effective law upon Nevada-licensed optometrists. A plain reading of R007-25's text and the proposed revisions demonstrates it is not a mandate or a restriction on how licensees practice optometry, which is a core focus of NRS/NAC 636 in addition to maintaining integrity of the profession and protecting the public. Instead it requires a licensee, in the event of the licensee electing to complete an asynchronous CE course, to obtain a passing score consistent with national standards of 70%. It is at any given licensee's discretion to choose to avail himself or herself to any such asynchronous CE courses, when synchronous CE courses are available to attend physically in-person or virtually in-person and do not require course examination passing score in order to receive credit.

(1)(a)(5) The methods used by the agency in determining the impact on a small business prepared pursuant to NRS 233B.0608(3).

Prior to the Notice of Workshop being posted, the Board issued a Newsletter to its membership announcing the topic of the workshop, and specifically seeking any membership input on the proposed changes.

The Board conducted a workshop on October 30, 2024. Written comments were sought by various persons and licensees prior to the workshop.

Notice of the October 30, 2024 workshop were sent to all registered licensees on the Board's email-mailing list. Agendas associated with the above referenced meetings were posted consistent with NRS 241 timely, and physically and electronically as stated in the Agendas- Nevada State Board of Optometry office, Reno, NV 89523, Nevada State Board of Optometry website: <https://nvoptometry.org>, and Nevada Public Notice website: <http://notice.nv.gov>

Any public comment or testimony provided concerning the proposed regulations could have been obtained from the Board of Optometry by mail, fax, telephone request or by email at any time. Interested persons may obtain a summary of responses to the Board's solicitation of comments by contacting the Board office via email at admin@nvoptometry.org.

(1)(a)(6) The estimated cost to the agency for enforcement of the proposed regulation.

The Board estimates that the adopted regulation will result in no additional costs. The Board's employees already count CE credits as approved when received from a qualified CE presenter on qualified topics. Whether a licensee attends a synchronous CE course physically in-person or virtually in-person does not result in any additional costs to the Board. Whether the passing score is 75% or 70% does not change how the Board's employees vet any proffered CE credit from any licensee. There is no perceived cost to the licensees governed under NRS 636. There is no perceived cost to the public.

(1)(a)(7) A description of and citations to any regulation of other state or local governmental agencies which the proposed regulation overlaps or duplicates, and a statement why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, state the name of the regulating federal agency.

The proposed regulation does not overlap with any other state, local, or federal agency/regulation to the best of the Board's knowledge. No other chapter governs optometrists or the practice of optometry besides NRS 636/NAC 636.

(1)(a)(8) If the regulation is required pursuant to federal law, a citation and description of the federal law.

N/A. The regulation is not required by federal law.

(1)(a)(9) If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Nevada's minimum passing score (75%) to obtain credit for attending asynchronous CE courses is presently higher than national standards (70%). (See footnote 2.) Thus none of the proposed regulation changes duplicates or is more stringent than any federal, state, or local standards regulating optometry to the best of the Board's knowledge.

(1)(a)(10) The time when, the place where, and the manner in which interested persons may present their views regarding the proposed regulation.

9/25/2025 12:15p.m. (pst) through remote and in-person means:

Nevada Business Center
Tahoe Room
3300 W. Sahara Ave., 4th Floor
Las Vegas, Nevada 89102

<https://us06web.zoom.us/j/82875184696?pwd=AbwPT8ZwleID3Bic7jLlyhx85GlgaM.1>
Meeting ID: 828 7518 4696
Passcode: 465815

Telephone: 1 669 900 6833

Persons wishing to comment upon the proposed action of the Nevada State Board of Optometry may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to:

Nevada State Board of Optometry
P.O. Box 1824
Carson City, NV 89702
-or-
Email: director@nvoptometry.org

Written submissions must be received by the Nevada State Board of Optometry on or before **September 18, 2025**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Optometry may proceed immediately to act upon any written submissions.

The Board will take reasonable measures to accommodate persons with disabilities who wish to attend the meeting. Please call (775) 883-8367 or email admin@nvoptometry.org in advance to make arrangements.

*MEETING MATERIALS: The public may request these, including the regulation at issue, in advance by email to admin@nvoptometry.org.

(1)(b) If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied.

N/A The proposed regulation is not temporary.

(1)(c) Include an exact copy of the provisions of subsection 2 of [NRS 233B.064](#).

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within thirty (30) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

(1)(d) Whether the proposed regulation establishes a new fee or increases an existing fee.

It does not.

(1)(e) Mailed to all persons who have requested in writing that they be placed upon a mailing list, which must be kept by the agency for that purpose.

The agency will comply with any such request, but no such request has occurred.

(1)(f) Be submitted to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations created pursuant to [NRS 233B.0653](#). The publication of a notice of intent to act upon a regulation in the Register does not satisfy the requirements for notice set forth in paragraph (e).

The Board will abide.

(2) The Attorney General may by regulation prescribe the form of notice to be used.

The Attorney General by regulation has not prescribed the form of notice to be used to the best of the Board's knowledge.

(3) In addition to distributing the notice to each recipient of the agency's regulations, the agency shall also solicit comment generally from the public and from businesses to be affected by the proposed regulation.

See section (1)(a)(5) of this Notice for such compliance.