

6500.2000 TERMS AND RENEWAL OF INDIVIDUAL ANNUAL LICENSE.

Subpart 1. **Renewal of application.** On or before January 1 of each year, a licensee must submit to the board a license renewal application to continue to lawfully practice in this state. A renewed license is valid from January 1 of the year of issue until December 31 of the year of issue.

Subp. 2. **Information required on renewal application.** An application for renewal must be postmarked, or if submitted online, received by the board, on or before December 31 of each year of renewal. The renewal application shall include the applicant's signature, any application fees required by statute, the address or addresses where the applicant practices optometry, any changes in the applicant's optometry practice locations in the previous 12-month period, the applicant's license number, and any other information reasonably related to the application process as requested by the board.

Subp. 3. **Compliance with continuing education requirements.** As specified in part 6500.3000, an applicant must submit to the board proof of compliance with continuing education requirements as part of the applicant's annual license renewal.

Subp. 4. [Repealed, 43 SR 5]

Subp. 4a. **Failure to submit renewal application, required fees, or evidence of continuing education compliance.** If a licensee fails to submit the renewal application, the required fee, or evidence of continuing education compliance, the board shall follow the following procedures.

A. After January 1 of the renewal year, the board shall change the status of the active licensee to designate the nonrenewed or lapsed license. A licensee may not provide services as a licensed optometrist with a lapsed or nonrenewed license.

B. After January 1 of the renewal year, the board shall send to the licensee, at the last address on file, notice that the licensee has failed to satisfy the license renewal requirements and shall specify which requirement remains unsatisfied. The board shall set out the steps the licensee must take to renew a license and any late fees required, notify the licensee of the option of voluntarily terminating the license, and notify the licensee that failure to respond within 30 days after the notice is sent by the board will result in termination of the license.

C. If the application for renewal, including the required information about continuing education compliance, the application fee, and any late fees, are not received by the board within the 30-day deadline specified in the notice, the license shall be terminated and the licensee will no longer be authorized to practice optometry in Minnesota. The termination will be administrative and will not constitute disciplinary action on the license. The board shall send to the licensee, at the last address on file, notice that the license has been administratively terminated.

D. The notice sent after January 1 shall also include notice of the licensee's right to request review of the board's determination that the licensee has failed to satisfy the renewal requirements. The licensee's request for review must state all of the reasons the licensee believes the board's determination is incorrect and include copies of any and all relevant documents that were previously timely submitted, in addition to any documents demonstrating proof of their submission. The licensee may submit the request for review within the 30 days after the board sends the notice

required by item B, or within 15 days after a licensee receives a notice of termination pursuant to item C. The board shall issue a decision on its review of the licensee's request within 30 days after it receives the request. The licensee's license shall remain in "nonrenewed" or "lapsed" status pending the board's review of the licensee's request for review under this item. The board's decision on a request for review under this item is a final decision, not subject to review.

E. A license that has been administratively terminated under this part may be reinstated pursuant to part 6500.2900.

Subp. 5. **Practicing optometry without a current license.** Practicing optometry without a renewed or current license shall have the same force, effect, and potential legal consequences as practicing optometry without a license.

Subp. 6. **Contested case proceeding.** The board, in lieu of the process in subpart 4a, may initiate a contested case proceeding to take disciplinary action on the licensee for failure to submit fees and continuing education compliance at the same time that it initiates disciplinary action proceedings against the licensee for other grounds specified in part 6500.3000 or Minnesota Statutes, sections 148.52 to 148.62.

Statutory Authority: *MS s 145.714; 148.53; 214.06*

History: *9 SR 1690; 13 SR 2933; 19 SR 734; 43 SR 5*

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