

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OPTOMETRY - GENERAL RULES

Filed with the secretary of state on December 16, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16174, 16287, and 17431 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16174, 333.16287, and 333.17431 and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.305, R 338.309, R 338.311, R 338.313, R 338.315, R 338.317, R 338.319, R 338.320, and R 338.321 of the Michigan Administrative Code are amended and R 338.304 is rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 338.304 Rescinded.

R 338.305 Professional optometric degree program; approval standards.

Rule 5. (1) The board approves and adopts by reference the standards of the Accreditation Council on Optometric Education (ACOE) set forth in the publication entitled "Accreditation Manual: Professional Optometric Degree Programs" revised January 2019, and updated August 2019, which provide for the accreditation of professional optometric degree programs.

(2) A professional optometric degree program accredited by the ACOE is considered approved by the board.

(3) Copies of the Accreditation Manual of the ACOE are available free of charge from the American Optometric Association's website at <https://www.aoa.org/optometrists/for-educators/accreditation-council-on-optometric-education/accreditation-resources-and-guidance/optometric-degree-programs->. Printed copies also are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, Ottawa Building, 611 W. Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

PART 2. LICENSES

R 338.309 Licensure by endorsement.

August 26, 2021

Rule 9. An applicant for licensure by endorsement shall hold an active license in good standing in another state or province of Canada and submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an applicant shall comply with all of the following requirements as noted by (√):

(a) An applicant who is licensed in another state.		Licensed for less than 3 years.	Licensed 3 years or more.
(i)	Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√
(ii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.	√	√
(iii)	Graduate from a school of optometry approved by the board pursuant to R 338.305.	√	
(iv)	Achieve a passing score on parts I, II, and III of the NBEO examination, including a passing score on the TMOD examination given by NBEO or its successor organization.	√	
(v)	Achieve a minimum scaled score of 75 on the examination of Michigan laws and rules related to the practice of optometry that is developed and administered by the department, or an entity approved by the department.	√	√
(vi)	Hold a license in good standing granting therapeutic prescriptive certification at the highest level authorized in the state of the United States where the applicant is currently	√	√

	licensed.		
(vii)	Hold a valid cardiopulmonary resuscitation (CPR) certificate issued by any of the following: (A) The Red Cross. (B) The American Heart Association. (C) An accredited hospital. (D) An organization or institution comparable to those identified in subparagraphs (A) to (C) of this paragraph.	√	√
(viii)	Comply with both of the following: (A) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.	√	√
(b) An applicant who is licensed in a province of Canada.		Licensed less than 10 years.	Licensed 10 years or more.
(i)	Establish that he or she is of good moral character as defined under 1974	√	√

	PA 381, MCL 338.41 to 338.47.		
(ii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.	√	√
(iii)	Graduate from a school of optometry approved by the board pursuant to R 338.305.	√	√
(iv)	Achieve a passing score on parts I, II, and III of the NBEO examination, including a passing score on the TMOD examination given by NBEO or its successor organization.	√	
(v)	Achieve a minimum scaled score of 75 on the examination of Michigan laws and rules related to the practice of optometry that is developed and administered by the department, or an entity approved by the department.	√	√
(vi)	Hold a license in good standing granting therapeutic prescriptive certification at the highest level authorized in the province of Canada where the applicant is currently licensed.	√	√
(vii)	Hold a valid CPR certificate issued by any of the following: (A) The Red Cross. (B) The American Heart Association. (C) An accredited hospital. (D) An organization or	√	√

	institution comparable to those identified in subparagraphs (A) to (C) of this paragraph.		
(viii)	<p>Comply with both of the following:</p> <p>(A) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>	√	√

R 338.311 Limited licenses.

Rule 11. (1) The board may issue an educational limited license, pursuant to section 16182(2)(a) of the code, MCL 333.16182, to an individual who meets the requirements of the code and the administrative rules promulgated under the code and who has graduated from a board-approved professional optometric degree program, or who will graduate from the program not more than 3 months after applying for an educational limited license, and who is enrolled in a postgraduate course of study or participates in a residency program that is offered by the United States Department of Veterans Affairs or a board-approved institution.

(2) The board may issue a clinical academic limited license, pursuant to section 16182(2)(c) of the code, MCL 333.16182, to an individual who meets the requirements of the code and the administrative rules promulgated under the code and who is a graduate of a board-approved professional optometric degree program and who is employed as a faculty member at a board-approved professional optometric degree program. An optometrist who is licensed under this subrule may perform procedures upon patients while employed as a faculty member at a board-approved professional optometric degree program, if these procedures are performed under the general supervision of a faculty

member who is fully licensed as an optometrist. An individual who is licensed under this subrule shall not do either of the following:

(a) Hold himself or herself out to the public as being engaged in the practice of optometry other than as a faculty member.

(b) Provide optometric services outside of his or her employment as a faculty member.

(3) An individual who applies for a limited license under section 16182(2)(a) or (c) of the code, MCL 333.16182(2), shall meet all of the following requirements:

(a) Comply with section 16174 of the code, MCL 333.16174.

(b) Submit proof of graduation from an accredited professional optometric degree program that is approved by the board or from a non-accredited professional optometric degree program that is approved by the board, pursuant to R 338.305.

(c) Submit proof of appointment to either of the following:

(i) A postgraduate course of study or a residency program, pursuant to subrule (1) of this rule.

(ii) A faculty position at a board-approved professional optometric degree program, pursuant to subrule (2) of this rule.

(4) Limited licenses, pursuant to subrules (1) and (2) of this rule, may be renewed annually at the discretion of the board.

(5) Applicants for renewal of a clinical academic limited license shall submit evidence of having completed 10 hours of board-approved continuing education in pharmacological management of ocular conditions required for the year.

R 338.313 Relicensure.

Rule 13. (1) An applicant whose Michigan license has lapsed may be relicensed under section 16201(3) or (4) of the code, MCL 333.16201, as applicable, if the applicant meets the requirements of the code and the administrative rules promulgated under the code and satisfies the following requirements as noted by (√):

(a) An applicant who has let his or her Michigan license lapse and is not currently licensed in another state or in Canada.		Lapsed 3 years or less.	Lapsed more than 3 years, but less than 6 years.	Lapsed 6 years or more.
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)	Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv)	Submit proof of having			

	<p>completed 40 hours of continuing education as required under R 338.321, which was earned within the 2-year period immediately preceding the date of relicensure, subject to both of the following:</p> <p>(A) At least 2 of the 40 hours of continuing education must be in pain and symptom management, as provided under R 338.321(3).</p> <p>(B) If certified to administer therapeutic pharmaceutical agents, at least 20 of the 40 hours of continuing education must be in pharmacological management of ocular conditions, as provided in R 338.321(2), and the applicant shall hold a current CPR certificate.</p>	√	√	√
(v)	Achieve a minimum scaled score of 75 on the examination of Michigan laws and rules related to the practice of optometry that is developed and administered by the department, or an entity approved by the department.		√	√
(vi)	Achieve a passing score on parts I, II, and III of the NBEO examination, including a passing score on the Continued Professional Development in Optometry (CPDO) examination given by			√

	NBEO or its successor organization.			
(vii)	<p>An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:</p> <p>(A) Disclose each license, registration, or certification on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>	√	√	√
	(b) An applicant who has let his or her Michigan license lapse and is currently licensed in another state or in Canada.	Lapsed 3 years or less.	Lapsed more than 3 years, but less than 6 years.	Lapsed 6 years or more.
(i)	Submit a completed application on a form provided by the department, together with the required fee.	√	√	√
(ii)	Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√

(iv)	<p>Submit proof of having completed 40 hours of continuing education as required under R 338.321, which was earned within the 2-year period immediately preceding the date of relicensure, subject to both of the following:</p> <p>(A) At least 2 of the 40 hours of continuing education must be in pain and symptom management, as provided under R 338.321(3).</p> <p>(B) If certified to administer therapeutic pharmaceutical agents, at least 20 of the 40 hours of continuing education must be in pharmacological management of ocular conditions, as provided in R 338.321(2), and the applicant shall hold a current CPR certificate.</p>	√	√	√
(v)	Achieve a minimum scaled score of 75 on the examination of Michigan laws and rules related to the practice of optometry that is developed and administered by the department, or an entity approved by the department.		√	√
(vi)	An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another	√	√	√

	<p>country, shall do both of the following:</p> <p>(A) Disclose each license, registration, or certification on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>			
--	--	--	--	--

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.315 Certification to administer topical ocular diagnostic pharmaceutical agents; application; qualifications; adoption of standards; prohibitions.

Rule 15. (1) An applicant for certification to administer a topical ocular diagnostic pharmaceutical agent in the practice of optometry shall submit a completed application, on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy all of the following requirements:

(a) Successfully complete a course of study in general and clinical pharmacology related to the practice of optometry as required in section 17412(2)(a) of the code, MCL 333.17412. The course of study must include passing an examination on general and ocular pharmacology. The applicant has successfully completed the required course of study when he or she has been granted the credit hours designated for the course of study by the teaching institution where the course is offered.

(b) Establish a board-approved emergency treatment plan, pursuant to section 17412(2)(d) of the code, MCL 333.17412, for the management and referral of patients who experience any adverse drug reaction. To be board-approved, the emergency treatment plan must include all of the following:

- (i) Patient instructions related to an adverse drug reaction.
- (ii) A referral procedure for a patient reporting an adverse drug reaction.
- (iii) The names and contact information of not less than 3 physicians, clinics, or hospitals to whom the patient reporting an adverse drug reaction may be referred.
- (iv) A documentation procedure for the information to be included in the patient's medical record regarding the report of an adverse drug reaction.

(c) Successfully complete a course in CPR as required by section 17412(2)(c) of the code, MCL 333.17412, approved by the department of health and human services, and offered or approved by any of the following:

- (i) The Red Cross.
- (ii) The American Heart Association.
- (iii) An accredited hospital.
- (iv) An organization or institution comparable to those identified in paragraphs (i) to (iii) of this subdivision.

(2) A licensed optometrist shall not use diagnostic pharmaceutical agents in the practice of optometry unless the optometrist has been certified by the board as being qualified to administer topical ocular diagnostic pharmaceutical agents.

R 338.317 Certification to administer and prescribe therapeutic pharmaceutical agents; application; qualifications.

Rule 17. (1) An applicant for certification to administer and prescribe a therapeutic pharmaceutical agent in the practice of optometry shall submit a completed application, on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the code and the administrative rules promulgated under the code, an applicant shall satisfy all of the following requirements:

(a) Meet the certification requirements to administer diagnostic pharmaceutical agents under R 338.315.

(b) Successfully complete a course of study relating to the didactic and clinical use of therapeutic pharmaceutical agents as required in section 17435(2)(b) of the code, MCL 333.17435.

(c) Establish a board-approved management plan that complies with section 17435(2)(c) of the code, MCL 333.17435.

(2) A licensed optometrist shall not administer or prescribe therapeutic pharmaceutical agents in the practice of optometry unless the optometrist has been certified by the board as being qualified to administer and prescribe therapeutic pharmaceutical agents.

PART 3. CONTINUING EDUCATION

R 338.319 Adoption of standards and criteria by reference; board approval by application.

Rule 19. (1) The board approves and adopts by reference the standards and criteria of the Council on Optometric Practitioner Education (COPE) for accreditation of an activity or qualification of a course that are set forth in the publications entitled "Activity Accreditation Manual," revised February 2017, and "Course Qualification Manual," revised February 2017. A copy of the publications may be obtained at no cost from the Association of Regulatory Boards of Optometry's website at <http://www.arbo.org>. Printed copies also are available for inspection and distribution at a cost of 10 cents per page from the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, Ottawa Building, 611 W. Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

(2) A continuing education program related to the practice of optometry that has been accredited by COPE is considered approved by the board.

(3) A continuing education program that is not accredited by COPE or approved as provided in R 338.320 may apply for board approval by submitting an application to the department. The application must be received not less than 90 calendar days before the program presentation. The application must be reviewed by the board's continuing education subcommittee. After review and recommendation of the program by the board's continuing education subcommittee, approval of the continuing education program may be granted after a vote of the full board.

(4) Applications for approval of a continuing education program must include all the following:

- (a) The sponsor's name.
- (b) The sponsor's address.
- (c) The program name.
- (d) The program date.
- (e) The program location.
- (f) The program outline, including all of the following:
 - (i) An explanation of how the program is designed to further educate the licensee through acquisition and application of knowledge, which results in improved patient outcomes.
 - (ii) The topics and the name of the speaker of each topic.
 - (iii) The times of the specific topics and breaks included in the program.
- (g) The résumé of each speaker or instructor for the program.
- (h) A description of the delivery method, or methods to be used, and the techniques that will be employed to assure active participation.
- (i) A brief description of the sponsoring organization.
- (j) The name, title, and address of the program director and a description of his or her qualifications to direct the program.
- (k) A description of how participants will be notified that continuing education credit has been earned.
- (l) A description of the physical facilities or laboratory available to assure a proper learning environment.
- (m) A description of how attendance is monitored and the name of the person monitoring attendance.
- (n) The number of hours of course instruction including all of the following:
 - (i) The number of hours related to clinical optometry, which may include any of the following COPE categories:
 - (A) Contact lenses (CL).
 - (B) Functional vision/pediatrics (FV).
 - (C) General optometry (GO).
 - (D) Low vision/vision impairment & rehabilitation (LV).
 - (E) Public health (PB).
 - (ii) The number of hours related to practice management, which may include the following COPE categories:
 - (A) Practice management (PM).
 - (B) Ethics/jurisprudence (EJ).
 - (iii) The number of hours related to pharmaceutical management, which may include any of the following COPE categories:

- (A) Glaucoma (GL).
- (B) Injection skills (IS).
- (C) Laser procedures (LP).
- (D) Peri-operative management of ophthalmic surgery (PO).
- (E) Refractive surgery management (RS).
- (F) Surgery procedures (SP).
- (G) Treatment and management of ocular disease: anterior segment (AS).
- (H) Treatment and management of ocular disease: posterior segment (PS).
- (I) Neuro-optometry (NO).
- (J) Oral pharmaceuticals (OP).
- (K) Pharmacology (PH).
- (L) Principles of diagnosis (PD).
- (M) Systemic/ocular disease (SD).

(iv) The number of hours related to pain management, which may include any of the following COPE categories:

- (A) Oral pharmaceuticals (OP).
- (B) Pharmacology (PH).
- (C) Treatment and management of ocular disease: anterior segment (AS).
- (D) Treatment and management of ocular disease: posterior segment (PS).
- (E) Functional vision/pediatrics (FV).

R 338.320 Approved continuing education; limitations; documentation.

Rule 20. The board approves all of the following as continuing education if the subject matter falls within an approved COPE category as listed in R 338.319(4)(n):

	Activity and Proof of Completion	Number of Continuing Education Hours Granted or Permitted for Activity
(a)	<p>Successful completion of a course or courses offered for credit by an accredited optometry school or college approved by the board under R 338.305.</p> <p>If audited, a licensee shall submit an official transcript documenting successful completion of the course.</p>	<p>Ten hours of continuing education are earned for each academic quarter credit hour earned.</p> <p>Fifteen hours of continuing education are earned for each academic semester credit hour earned. Hours may be earned without limitation.</p>
(b)	<p>Successful completion of a continuing education program offered by an accredited optometry school or college approved by the board under R 338.319.</p> <p>If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on</p>	<p>One continuing education hour is earned for each 50 to 60 minutes of program attendance, without limitation.</p>

	which the program was held or activity completed.	
(c)	<p>Attendance at a continuing education program related to the practice of optometry offered by an educational program approved by the board under R 338.319(3) or approved by another state board of optometry.</p> <p>If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on which the program was held or activity completed.</p>	One continuing education hour is earned for each 50 to 60 minutes of program attendance, without limitation.
(d)	<p>Initial presentation of or at a continuing education program approved by the board.</p> <p>If audited, a licensee shall submit a letter from the program's sponsor, verifying the licensee's presentation of educational materials and lecture at the continuing education program.</p>	One continuing education hour in the appropriate COPE category is earned for each 50 to 60 minutes of program presentation, without limitation.
(e)	<p>Attendance at a continuing education program related to optometric topics approved for category 1 continuing education by the Michigan board of medicine or the Michigan board of osteopathic medicine and surgery.</p> <p>If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on which the program was held or activity completed.</p>	One continuing education hour in clinical optometry is earned for each 50 to 60 minutes of program attendance, limited to 8 hours per renewal cycle.
(f)	Attendance at a continuing education program related to optometric pharmacological topics approved for continuing education by the Michigan	One continuing education hour in pharmacological management is earned for each 50 to 60 minutes of program attendance, limited to 8 hours per renewal period.

	<p>board of pharmacy.</p> <p>If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of credits earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date or dates on which the program was held or activity completed.</p>	<p>Applicants for renewal who hold certification to administer topical ocular diagnostic pharmaceutical agents or certification to administer and prescribe therapeutic pharmaceutical agents, or both, may earn hours without limitation.</p>
(g)	<p>Initial presentation of a scientific exhibit, poster, or paper to a professional optometric organization.</p> <p>If audited, the licensee shall submit a copy of the document presented with evidence of presentation or a letter from the program sponsor verifying the date of the presentation.</p>	<p>Two hours of continuing education in clinical optometry are earned for each presentation. No additional credit shall be granted for preparation of the presentation.</p>
(h)	<p>Initial publication of either of the following:</p> <ul style="list-style-type: none"> (i) A scientific article relating to the practice of optometry in a peer-reviewed journal or periodical. (ii) A chapter or a portion of a chapter related to the practice of optometry in either a professional health care textbook or peer-reviewed textbook. <p>If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter and documentation of the peer-review process.</p>	<p>Six hours of continuing education in clinical optometry are earned for serving as the primary author. Three hours of continuing education in clinical optometry are earned for serving as a secondary author.</p>
(i)	<p>Participating on either of the following:</p> <ul style="list-style-type: none"> (i) A peer review committee dealing with quality of patient care as it relates to the practice of optometry. (ii) A national or state committee, board, council, or association related to the practice of optometry. <p>Participation on a committee, board, council, or association is considered acceptable by the board if it enhances the</p>	<p>Six hours of continuing education in clinical optometry are earned for participating on a committee. A maximum of 6 hours of continuing education may be earned for this activity in each renewal period.</p>

	<p>participant's knowledge and understanding of the field of optometry.</p> <p>If audited, the licensee shall submit a letter from an organization official verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.</p>	
(j)	Taking and passing any nationally recognized advanced competency examination in optometry.	Every 2 years, 12 hours of continuing education in pharmacology management or clinical optometry are earned.

R 338.321 License renewal; continuing education, requirements, limitations.

Rule 21. (1) An applicant for license renewal shall satisfy the requirements of the Public Health Code General Rules, R 338.7001 to R 338.7005, and shall accumulate not less than 40 continuing education hours approved by the board pursuant to R 338.319 or R 338.320 during the 2 years immediately preceding the date of application for renewal.

(2) An applicant for license renewal who holds certification to administer topical ocular diagnostic pharmaceutical agents or certification to administer and prescribe therapeutic pharmaceutical agents, or both, shall do both of the following:

(a) Accumulate not less than 20 hours of board-approved continuing education in pharmacological management of ocular conditions. The 20 required hours are part of, and not in addition to, the 40 hours required in subrule (1) of this rule. A continuing education program that falls within the COPE categories listed in R 338.319(4)(n)(iii)(A) to (M) meets the requirements of this subdivision.

(b) Hold a valid CPR certificate issued by any of the following:

- (i) The Red Cross.
- (ii) The American Heart Association.
- (iii) An accredited hospital.

(iv) An organization or institution comparable to those identified in paragraphs (i) to (iii) of this paragraph.

(3) An applicant for license renewal shall accumulate not less than 2 hours of board approved continuing education in pain and symptom management related to the practice of optometry. A continuing education program that falls within the COPE categories listed in R 338.319(4)(n)(iv)(A) to (E) meets the requirements of this subrule. Continuing education hours in pain and symptom management, as they relate to the practice of optometry, may include, but are not limited to, the following:

(a) Ethics and health policy related to pain.

(b) Pain definitions.

(c) Basic sciences related to pain, including pharmacology, psychology, sociology, and anthropology.

(d) Clinical sciences related to pain, including specific pain conditions and pain in special contexts and settings.

(e) Clinician-patient communications related to pain.

(f) Management of pain, including evaluation and treatment; non-pharmacological and pharmacological management.

(g) Ensuring quality pain care.

(h) Michigan programs and resources relevant to pain.

(4) A minimum of 20 of the required continuing education hours must be completed in a live, synchronous learning format. The remaining hours may be completed in any other format.

(5) An applicant for license renewal may earn a maximum of 9 continuing education hours per licensure cycle in practice management. A continuing education program that falls within the COPE categories listed in R 338.319(4)(n)(ii)(A) and (B) meets the requirements of this subrule.

(6) Submission of an application for renewal constitutes the applicant's certificate of compliance with the requirements of this rule. An optometrist shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(7) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.