

Chapter 26

(House Bill 380)

AN ACT concerning

State Board of Examiners in Optometry – Examination Requirements and Time Period for Inactive Status

FOR the purpose of clarifying that applicants for licensure as an optometrist and certain applicants for reinstatement are required to pass all sections of each part of a licensure examination; repealing the requirement that the State Board of Examiners in Optometry give examinations to licensure applicants; repealing the requirement that a licensure applicant pay to the Board a reexamination fee set by the Board for each reexamination; prohibiting the Board from placing a licensee on inactive status for more than a certain period of time; and generally relating to the State Board of Examiners in Optometry.

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 11–302(e), 11–304, 11–305, and 11–310
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Health Occupations

11–302.

(e) Except as otherwise provided in this subtitle, the applicant shall pass **ALL SECTIONS OF EACH PART OF** an examination [given] **AS REQUIRED** by the Board under this subtitle.

11–304.

(a) An applicant who otherwise qualifies for a license is entitled to be examined as provided in this section.

[(b) Periodically, but not more often than once every 6 months, the Board shall give examinations to applicants at the times and places that the Board determines.

(c) The Board shall notify each qualified applicant of the time and place of examination.]

[(d)] (B) (1) Except as otherwise provided in this subsection, the Board shall determine the subjects, scope, form, and passing [score for examinations administered] **SCORES FOR ALL SECTIONS OF EACH PART OF AN EXAMINATION** under this subtitle.

(2) The subjects examined shall include:

(i) The anatomy, physiology, and pathology of the human eye; and

(ii) The use of all instruments used for examination of the human eye.

(3) The examination may include any subject that relates to optics and optometry:

(i) Contained in any textbook; or

(ii) Taught at any accredited educational institution that teaches optics, optometry, and other related subjects.

[(e)] (C) **[(1)]** An applicant who fails the examination may take the next regularly scheduled examination.

[(2)] The applicant shall pay to the Board a reexamination fee set by the Board for each reexamination.]

11–305.

(a) Subject to the provisions of this section, the Board may waive the examination requirements of this title for an individual who is licensed to practice optometry in any other state.

(b) The Board may grant a waiver under this section only if the applicant:

(1) Pays the application fee required by the Board under § 11–303 of this subtitle;

(2) Provides adequate evidence that the applicant:

(i) Meets the qualifications otherwise required by this title, including, for 3 years before applying, the continuing education requirements of the other state in which the applicant has been practicing optometry, or, if the other state does not have any continuing education requirement, the applicant shall meet the equivalent of 3 years of the continuing education requirements of this subtitle in courses approved by the Board;

(ii) Meets the terms and conditions that the Board establishes in subsections (c) and (d) of this section;

(iii) At the time the applicant was licensed in the other state, was qualified to take the examination that then was required by the laws of this State; and

(iv) Qualified for a license in the other state by passing an examination given by the board of optometry in that state;

(3) Presents a copy of the license, certified by the issuing board; and

(4) Has not failed an examination [given] **REQUIRED** by the Board within the previous 5 years.

(c) (1) The Board may waive the examination requirements of this subtitle for an applicant who:

(i) If so required by the Board under subsection (d) of this section, passes an examination [administered] **REQUIRED** by the Board; and

(ii) For 3 years immediately before applying, has practiced optometry actively.

(2) The Board may waive the requirement of practicing optometry actively for an applicant who for 3 years:

(i) Was teaching optometry;

(ii) Was a uniformed services optometrist;

(iii) Was a supervisor or administrative optometrist; or

(iv) Was a researcher in optometry.

(d) (1) Within 1 year of receipt of an application, the Board may require that the applicant pass an examination.

(2) The Board shall determine the scope, form, and passing score for examinations under this section.

11-310.

(a) (1) The Board shall place a licensee on inactive status, if the licensee submits to the Board:

Board; and

- (i) An application for inactive status on the form required by the Board; and
- (ii) The inactive status fee set by the Board.

(2) THE BOARD MAY NOT PLACE A LICENSEE ON INACTIVE STATUS FOR MORE THAN 6 CONSECUTIVE YEARS.

[(2)] (3) The Board shall issue a license to an individual who is on inactive status if the individual:

- (i) Meets any continuing education requirements set by the Board; and
- (ii) Pays to the Board the reinstatement fee set by the Board.

(b) The Board may reinstate the license of an optometrist whose license has been expired for less than 5 years and who has not been put on inactive status, if the optometrist:

- (1) Has met the continuing education requirements set by the Board;
- (2) Meets the renewal requirements of § 11–308 of this subtitle; and
- (3) Pays to the Board the reinstatement fee set by the Board.

(c) The Board may not reinstate the license of an optometrist whose license has been expired for 5 years or more and who has not been put on inactive status, unless the optometrist:

- (1) Passes **ALL SECTIONS OF EACH PART OF** an examination [administered] **AS REQUIRED** by the Board; and
- (2) Otherwise meets the requirements of subsection (b) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.

Approved by the Governor, April 14, 2026.