

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 380
Health

(Delegate S. Johnson)

Finance

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

This bill clarifies examination requirements for licensure and reinstatement under the State Board of Examiners in Optometry by specifying that an applicant for licensure or reinstatement must pass *all sections of each part* of an examination and the board must determine the passing *scores for all sections of each part* of an examination. The board is prohibited from placing a licensee on inactive status for more than six consecutive years. The bill also repeals the requirement that the board give examinations to applicants not more than once every six months and notify applicants of the time and place of the examination and that an applicant pay a reexamination fee to retake the licensure exam. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: The bill does not substantively change board activities or operations. Board special fund expenditures are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Board of Examiners in Optometry is responsible for licensing individuals to practice optometry in the State, regulating the practice of optometry, investigating alleged violations of the Maryland Optometry Act, and taking disciplinary actions where warranted.

In general, to qualify for a license, an applicant must be of good moral character, be at least 18 years old, meet certain educational criteria, and pass an examination given by the board. Licenses may be renewed upon expiration for a term no longer than two years provided the licensee is otherwise entitled to be licensed, pays the renewal fee, and submits a renewal application including satisfactory evidence of compliance with continuing education requirements as specified.

The board must give examinations to applicants periodically – though not more often than every six months – and must notify qualified applicants of the time and date of the examination. The board must determine the scope, form, subjects, and passing score for the exam, though the subjects must include (1) the anatomy, pathology, and physiology of the human eye, and (2) the use of all instruments used for examining the human eye. An applicant who fails the examination may take it the next time the exam is scheduled so long as they pay a reexamination fee to the board.

Inactive Status

If a licensee submits to the board an application for inactive status and the inactive status fee, the board must place the licensee on inactive status. If the licensee on inactive status pays a reinstatement fee and meets any continuing education requirements set by the board, the board must issue the licensee an active license.

If a license has been expired for five years or more and the licensee has not been placed on inactive status, the board may not reinstate that license unless the optometrist (1) passes the examination administered by the board, (2) meets the continuing education requirements set by the board, (3) meets the renewal requirements, and (4) pays the reinstatement fee.

Additional Comments: Although statute refers to “an examination given by the board,” in practice, an applicant must pass Parts I, II, and III of the National Board of Examiners in Optometry (NBEO) exams, which are given at Pearson testing centers. Applicants must also register with NBEO to take the Maryland Online State Law Exam.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 186 (Senator Augustine) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - January 29, 2026
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