



April 1, 2026

Dr. Mary Beth Emmick Morris, President  
Ms. Christi LeMay, Executive Director  
Kentucky Board of Optometric Examiners  
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RE: March 30, 2026, KBOE Special Board Meeting

Dear President Morris, Executive Director LeMay, and Members of the Kentucky Board of Optometric Examiners (KBOE),

On behalf of the National Board of Examiners in Optometry (NBEEO®), this letter is submitted in the spirit of professional cooperation and with sincere respect for the Kentucky Board of Optometric Examiners' responsibility to regulate the practice and licensure of optometry in the Commonwealth of Kentucky. NBEEO representatives observed the KBOE's March 30, 2026, special board meeting and acknowledges the steps that the KBOE is taking in furtherance of its responsibility to regulate the practice and licensure of optometry in Kentucky, to grant initial licensure to qualified optometrists, and to oversee annual license renewal.<sup>1</sup>

I write today in connection with the KBOE's actions at that meeting relating to regulation review, licensing, and the creation of the Patient Safety and Expanded Therapeutic Procedures Workgroup. NBEEO's mission is to protect the public through competence assessment. In accordance with that mission, NBEEO wishes to offer assistance to the workgroup and the KBOE and provide relevant information regarding competency assessment. In addition, I write to raise a serious patient safety concern that warrants the KBOE's prompt attention and response.

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<sup>1</sup> <https://optometry.ky.gov/Pages/index.aspx>

First, in connection with the newly created workgroup, NBEO respectfully recommends Dr. Rich Castillo for consideration as the out-of-state expert member. Richard Castillo, OD, DO, FASOS (CV attached), is the founding Dean of the University of North Carolina Pembroke College of Optometric Medicine and the Founding President of the American Society of Optometric Surgeons. He is an optometric educator, lecturer, consultant, and advocate with extensive experience in optometric laser, surgical, and credentialing matters, including consulting to state associations and state licensing boards regarding medical and surgical training, skills transfer implementation, and credentialing. He has also advised NBEO on its Laser & Surgical Procedures Examination development. In addition, Dr. Castillo's longstanding involvement in Kentucky's scope expansion efforts, his years of assistance to the Kentucky Optometric Association, his participation after the 2011 law in the rules and regulations committee composed of optometrists and ophthalmologists, and his active Kentucky medical licensure make him uniquely well suited to contribute to the workgroup's purpose. It would be difficult to find an optometrist with more sterling credentials. Dr. Castillo is the 2025 recipient of the Heart of America VISION Service award for contributions to the profession, the 2021 recipient of the Arkansas Optometric Association's Special Service Award for "Outstanding Service to the Association and Profession of Optometry," a past recipient of the Oklahoma Association of Optometric Physician's Distinguished Service Award (2017), and has been acknowledged by the Oklahoma State Board of Examiners in Optometry for outstanding contributions to the advancement of optometric surgical care (2016). Dr. Castillo is one of the founding members of the current NSU Advanced Procedures CE (Surgery & Laser) Course (1999), a past commissioner and chair of the National Commission on Vision & Health, has served as a physician reviewer for the Health Resources and Services Administration, and is a volunteer with the Oklahoma Medical Reserve Corps. As this partial recital of his credentials reflects, he exceeds the criteria already under consideration for this role.

Second, NBEO would be pleased to provide information regarding the Laser and Surgical Procedures Examination (LSPE®) to the workgroup and to the KBOE as part of KBOE's ongoing consideration of credentialing options for optometrists performing laser and surgical procedures. LSPE is a stand-alone elective examination administered at the National Center of Clinical Testing in Optometry (NCCTO®) and designed to assess optometric cognitive ability to appropriately manage and perform certain laser and surgical skills. The LSPE is a hybrid examination that includes both a clinical skills portion and a multiple-choice computer-based testing component. The examination evaluates procedures including selective laser

trabeculoplasty, peripheral iridotomy, YAG capsulotomy, suturing, and chalazion excision, with structured scoring and recorded practical performances for examiner review.<sup>2</sup>

These characteristics make the LSPE especially relevant to any discussion of credentialing for laser and surgical procedures. A standardized examination that assesses both knowledge and observed technical performance would provide KBOE with an objective, skills-based source of information when evaluating readiness for patient care responsibilities that involve laser or surgical procedures. NBEO would be happy to provide additional information, exam materials, and technical background regarding LSPE so that KBOE has a complete understanding of how the examination may assist its credentialing deliberations.

Third, during the March 30th meeting, the KBOE voted to submit a public agency comment stating that it will further evaluate whether to include the Optometry Examining Board of Canada (OEBC) written examination and the American Board of Optometry (ABO) board certification examination in the relevant regulations, including review of psychometric data for those examinations. The KBOE also reaffirmed delegated authority to its President, Vice President, and Executive Director for work on the regulations, subject to full Board approval for any substantive changes.

None of the actions of the KBOE at that meeting, however, addressed a pressing and unresolved issue that should not be overlooked: the continued practice of optometry in Kentucky by individuals who are not properly licensed in the Commonwealth. Kentucky law and regulation require licensure for the practice of optometry in the state. On October 1, 2025, Attorney General Russell Coleman stated in [OAG 25-13](#) that “The Board acted beyond its authority in waiving licensure requirements without adhering to KRS Chapter 13A.” As a result, there are optometrists treating patients in the Commonwealth of Kentucky who are invalidly licensed because they have not passed the required NBEO examinations. Allowing these individuals to continue practicing raises substantial concerns about compliance, fairness, and most importantly patient safety, because those individuals have not demonstrated to KBOE that they have satisfied Kentucky’s licensure requirements for the lawful and safe practice of independent optometry. We understand that the KBOE has taken the position that these individuals are still validly licensed in a letter to members of the legislature, which took a “Myths and Facts” format. We have provided a response to the KBOE’s letter to members of legislature, and I have included that response [here](#) to inform the KBOE’s reconsideration of that issue.

This concern is not technical or procedural in the abstract; it goes directly to the KBOE’s core public protection mission. When a state licensing board allows, tolerates, or fails to address

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<sup>2</sup> See enclosed Content Outlines of the LSPE.

unlicensed practice, patients are placed at risk because the regulatory safeguards designed to verify minimum competency, training, examination status, and accountability are bypassed. It would be appropriate for KBOE to address this clearly and directly, especially while simultaneously considering revisions to licensing pathways.

Finally, NBEO also extends another invitation for KBOE to visit the National Center of Clinical Testing in Optometry. NBEO's clinical examinations, including the LSPE, are administered at the NCCTO. NBEO moved to our new location in August 2025 at 7910 Microsoft Way, Charlotte, North Carolina 28273 and would appreciate the opportunity to show you the new testing facility. A visit would give KBOE members and staff the opportunity to speak directly with NBEO leadership and staff, learn more about examination development and administration, and better understand the testing environment used to assess clinical competence. We have recently hosted several other state boards of optometry, and they have all given us feedback that the time spent at NCCTO was worthwhile to understanding NBEO's exam development and administration process.

Because the matters raised in this letter directly concern patient safety, lawful practice, and the integrity of Kentucky's optometric regulatory system, NBEO respectfully requests a written response from KBOE. Specifically, NBEO requests that KBOE clarify:

- (1) how it is addressing improperly licensed Kentucky optometrists,
- (2) whether KBOE intends to take enforcement or corrective action, and
- (3) whether KBOE would welcome additional information from NBEO regarding LSPE and related competency assessment resources.

A timely response would be appreciated so that these issues can be addressed transparently and constructively.

NBEO remains ready to assist KBOE in a professional and collaborative manner. Protecting the public requires both meaningful professional licensing/credentialing standards and consistent enforcement of licensure requirements, and both issues deserve the KBOE's immediate attention.

Respectfully submitted,

*Jill Bryant, OD*

Jill Bryant, OD, MPH, FAAO, FSLs, FASOS

On behalf of the National Board of Examiners in Optometry Board of Directors