
Dr. James Campbell's Comments on 201 KAR 5:021

Good afternoon. My name is Dr. James Campbell, and I am the current President of the National Board of Examiners in Optometry, or NBEEO. I am also a Past President of the Association of Regulatory Boards in Optometry and the West Virginia Board of Optometry. I am here today speaking on behalf of NBEEO. NBEEO was created 75 years ago by the Association of Regulatory Boards of Optometry, with involvement from the schools and colleges of optometry to develop a standard exam series accepted nationally for optometric licensure.

In those 75 years, NBEEO has never stepped into a regulatory board dispute like this. Honestly, it was a tough decision for our board to speak out against colleagues, but ultimately, we felt compelled by our mission to speak up on behalf of patient protection. And because NBEEO has been synonymous with licensure standards in Kentucky and elsewhere, the KBOE's continued actions in allowing potentially unqualified individuals who have not passed NBEEO examinations to practice independently, without identifying them, also reflects back on NBEEO. We cannot sit still here, we have a responsibility to actively speak out.

I want to address a deep concern regarding a lack of transparency from the KBOE. I noted a moment ago may have mischaracterized the AGs opinion because the waiver and allowance was without force and effect of law at the time. NBEEO has tried numerous times to have a meaningful dialogue with the KBOE regarding concerns about their licensure rules, but we were told that we would need to follow the public comment process and that is why we are here. The KBOE has consistently operated behind closed doors, keeping the public and the profession in the dark. Meeting minutes are not publicly posted, and crucial decisions that affect public safety appear to have been made privately without open public discussion. The KBOE even withheld critical information from the Kentucky Attorney General, disclosing only a fraction of the secret votes they took to waive exam requirements for certain graduates.

I want to make it clear: our NBEEO Parts I, II and III examination series is an essential part of initial licensure. These examinations work as pieces of a whole providing a holistic measurement of a candidate's competency to practice. The haphazard substitution of one exam part for an unrelated exam violates professional licensure testing standards and shows a disregard for the fairness and defensibility of the licensure process. Today, I must

highlight the dangerous false equivalence the KBOE is creating by allowing this select group of invalidly licensed optometrists to substitute the American Board of Optometry, or ABO, exam for the NBE O Part III exam. NBE O is also concerned that this emergency regulation permits these individuals to continue to practice independently until March 2027, without passing all parts of the NBE O examination series.

The NBE O Part III exam is a hands-on, simulated live patient encounter. It acts as a clinical “road test” to ensure candidates can physically and safely perform essential procedures on real patients before they are granted a license to practice independently. This exam was carefully developed by over 200 subject matter experts from across the nation, including from the Commonwealth of Kentucky. It utilizes over 90 professional standardized patients to interact with candidates while they are evaluated on practical, critical thinking, and patient care skills. Additionally, the candidate’s performance on each of 12 stations is then reviewed by at least two examiners per station during scoring. You can see just how many people are involved in this complex clinical examination format. No multiple-choice format can mimic this.

Entering into the profession of optometry does not require a residency, so passing all three parts of the NBE O exam series serves as the last step of a system of checks and balances before new doctors of optometry are allowed to see patients independently. Candidates who cannot demonstrate these competencies and skills may fail to diagnose or adequately treat life-threatening or vision-threatening conditions. The stakes here are real, and they are high. For this reason, every other optometrist in the Commonwealth has been required to pass NBE O’s “road test”.

In contrast, the ABO exam is a computerized, multiple-choice test designed solely for doctors of optometry who are already fully licensed and practicing. It has never been designed, intended, or psychometrically validated for use in initial licensing decision. It does not assess hands-on clinical skills. Because it does not include live patient interactions, substituting the ABO certification for the NBE O Part III licensure exam is exactly like granting a driver’s license to an applicant who skipped the driving road test, simply because they passed a written knowledge test.

Allowing a specific and unidentified group to practice optometry independently without ever demonstrating safe, hands-on clinical skills directly threatens public safety. We respectfully urge you to compel this agency to amend this emergency regulation to stop



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treating these individuals differently and to require these individuals to pass all parts of the NBEEO series before continuing to engage in independent practice. Thank you.