

Janet Deveny-Edwards

To: Janet Deveny-Edwards
Subject: RE: Answers from September 3, 2020 Licensure Review

From: Janet Deveny-Edwards
Sent: Friday, September 25, 2020 12:30 PM
Subject: Answers from September 3, 2020 Licensure Review

Commission,

Attached are the answers for the questions Mr. Robins submitted from September 3d license review. The following boards were reviewed:

Department of Labor – No Questions
Department of Mines – Attached
Optometry Board – Attached
Pharmacy Board – Attached
Speech Pathology and Audiology Board – Attached

Please be sure and read through this information before the November 5th meeting. Thank you!

Janet DeVeny-Edwards | Project Director
Occupational Licensing Advisory Commission

Office of Management & Enterprise Services
[Location: Department of Labor](#)
3017 N. Stiles, Suite 127
Oklahoma City, OK 73105
janet.devenyedwards@omes.ok.gov

p: 405.521.2612



Department of Mines

- Blaster, Surface

1. How many certified blasters in 2019 provided a year of supervised experience to those seeking this license?

ODM does not have information to answer this question. This information might be available from the Oklahoma Miners Training Institute (OMTI) at Eastern Oklahoma State College.

- Hoisting Engineer, Underground

1. How does an applicant acquire one year of practical hoisting experience before being certified?

Federal Regulations allow an uncertified person to operate a hoist under the supervision of another certified hoisting engineer. This type of cross-training allows persons to obtain experience before being certified.

- Mine Fire Boss (Underground)

1. Why must the applicant be a state resident of Oklahoma?

The requirement that an applicant be a resident of Oklahoma is not found in ODM regulations. It appears that information previously made available to the OLAC stated that state residency was required. It is possible that a statute not found in Title 45 of the Oklahoma Statutes (the mining laws for Oklahoma) requires state residency, but ODM has so far been unable to determine what, if any, legal authority requires state residency. The stated residency requirement is most likely based on outdated information.

- Mine Foreman (Underground)

1. Why must the applicant be a state resident of Oklahoma?

The stated residency requirement is most likely based on outdated information.

- Mine Superintendent (Underground)

1. Why must the applicant be a state resident of Oklahoma?

The stated residency requirement is most likely based on outdated information.

- Mine Practical (Underground)

1. Why must the applicant be a state resident of Oklahoma?

The stated residency requirement is most likely based on outdated information.

Please respond to each question below for EACH of the following

- Blaster, Surface

- Hoisting Engineer, Underground

- Mine Fire Boss (Underground)

- Mine Foreman (Underground)

- Mine Shot Firer (Underground)

- Mine Superintendent (Underground)

- Mine Surface Supervisor

- Mine Practical (Underground)

Unless specified to the contrary, each of the answers below is intended to apply all listed certifications.

1. Is there a shortage or surplus of licensees in the occupation?

ODM has no information that would indicate either a shortage or a surplus of certificate holders for each of the listed licenses. However, there are no active underground coal mines, and no certificates related to underground mining have been issued for some time. It is always possible, however, that a company could re-open or begin a new underground coal mining operation in the future.

2. What impact does the licensing requirement have on the workforce and the ability to have the amount needed in Oklahoma?

The licensing requirements, which mostly consist of first aid and safety training, are not considered to be a significant barrier to entry to the workforce.

3. How many active licenses are there?

Since these certifications are good for two years, a reasonable estimate for the current number of active certificates can be made from totaling the certificates issued in 2019 and 2020. Using that method, the number of active certificates is estimated at 8,232. Some of those certifications are held by the same persons, so the number of licensed individuals is much lower.

4. Ball park number how many positions are currently open in Oklahoma for each license?

ODM has no information about how many position openings currently exist for each of the listed licenses.

5. Is there is a need for more licenses to be issued? If no, why not?

These certificates are only good for 2 years, so there is always a need for additional training and certification. There has also been a steady stream of new applicants each year for surface mining certificates. Certificates related to coal mining are mostly renewals.

6. How many licenses are expected to be needed in 2021?

Based on recent years, there could be somewhere between 3000 to 5000 certificates requested next year.

7. How many licenses are expected to be needed in 2025?

ODM is unable to predict this number.

8. How many licenses are expected to be needed in 2030?

ODM is unable to predict this number.

9. How many people have applied in the last 4 years for the license?

ODM does not keep this information, this information is most likely available from the Oklahoma Miner Training Institute (OMTI) at Eastern Oklahoma State College.

10. How many people have been issued a license in the last 4 years?

ODM does not keep this information, this information is most likely available from the Oklahoma Miner Training Institute (OMTI) at Eastern Oklahoma State College.

11. How many have renewed their licenses after the expired term in the last 4 years?

The certificates are renewed every 2 years, and ODM has that information for that time range readily available. In 2019, 3023 of the total 4784 certificates issued were renewals. In 2020 so far, 2259 of the total 3448 certificates issued were renewals. For the 4-year time range, OMTI might have that information.

12. Does Oklahoma have reciprocity with our Oklahoma license in any of the other 50 states or U.S. territories?

Yes

13. If so, what states or U.S. territories and what are the parameters?

For surface blaster, Oklahoma has reciprocity with the following states: Alaska, Alabama, Colorado, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Montana, New Mexico, South Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wyoming.

For Surface Supervisor, there is no reciprocity with any state.

For all other certificates, the requirements are based on Federal regulations and so there is reciprocity with all 50 states.

14. If not, what is preventing this Oklahoma license from being recognized in other states or U.S. territories?

ODM doesn't have enough information to answer this question regarding the non-reciprocity states.

15. Specifically, are U.S. military members or their spouses able when relocating to Oklahoma to have reciprocity with their current out of state license or do they need to apply for an Oklahoma license?

To the best of ODM's knowledge, Oklahoma state law already provides for reciprocity in certain circumstances, such as the relocation of US military personnel and their spouses.

16. What is the average time for someone who starts the process of pursuing a license with no experience to when it is issued?

ODM does not have this information. The time for someone to get a certification depends on how quickly they can attend the applicable training courses and subsequently get approved by the Mining Commission at one of the 6 public meetings held each year. For a qualifying individual, it should be possible to become licensed within a matter of months.

17. What is the average time for someone who starts the process of applying for an Oklahoma license who holds a license issued from California, Kansas, Colorado, New Mexico, Texas, Arkansas, Missouri, and California?

ODM does not have this information.

18. Outside of licensing are there other methods of regulating the occupation in other states or U.S. territories?

ODM does not have this information.

19. During the COVID pandemic how has considering and approving licenses continued?

By executive orders, the Governor of the State of Oklahoma has extended the duration all occupational licenses since the beginning of the pandemic. Requests for training initially decreased in the period from March to August of 2020. Requests have increased dramatically since that time. The increased numbers of individual requesting classes may be an indication that

20. Has the licensing entity provided guidance to their license holders during the pandemic as their license related to health and safety?

ODM periodically issues memos updating its inspectors as to the when extended certifications will expire as specified by the latest Executive Order. ODM inspectors typically communicate this information to operators during periodic mine inspections.

21. Wouldn't registration accomplish the goals of each of these licenses/certifications in a less restrictive manner?

The goals of the certificates are to ensure that mine employees have up-to-date safety training and other qualifications. Registration would not likely accomplish that goal.

22. Do the licenses allow practitioners to practice to the full scope of their training?

ODM has no information to answer this question.

23. Is there anything they are trained to do that we do not allow them to do in Oklahoma?

ODM has not information to answer this question.

Optometry Board

Please respond to each question below for **EACH** of the following

- Optometry

1. Is there a shortage or surplus of licensees in the occupation?
There does not appear to be a shortage or surplus of optometric doctors.
Oklahoma's population continues to creep toward 4 million, according to new U.S. Census Bureau estimates that show the state gained about 17,000 people between July 2018 and July 2019. The greater number of licensees entering the profession than those leaving the profession will provide for the extra needed services.
2. What impact does the licensing requirement have on the workforce and the ability to have the amount needed in Oklahoma?
The impact of the licensing requirement on the workforce is to assure the competency to protect the public and provide eye health care. The graduation rate is in balance with the yearly needs to supply the demand for increased visual care due to population changes.
Oklahoma statutes require that an optometrist is a graduate of an accredited school of optometry prior to licensure by the Board of Optometry. Northeastern State University College of Optometry located at Tahlequah, Oklahoma, provides the optometric education for over 90 percent of each year's applicants for licensure.
3. How many active licenses are there?
961
4. Ball park number how many positions are currently open in Oklahoma for each license?
There is a "ballpark" number of 32 open positions.
At this time many of these open positions are presently being filled with the newly licensed doctors. The last few years, approximately, 32 new optometrists began a new practice yearly with a net increase of seven. Approximately 25 optometrists retire per year. With an Oklahoma growth rate of approximately 5.5%, there will need to be an additional 5-7 licensed optometrists to compensate for the population increase.
5. Is there is a need for more licenses to be issued? If no, why not?
There is not a need for more licenses to be issued.
The population increase in the state will require more optometrists. During the last 4 years, the Board of Examiners has licensed 144 new licensees. Each year the number of retiring doctors has been less than the number entering the profession. The need for new licensees is in balance with the addition of newly licensed optometrists.

6. How many licenses are expected to be needed in 2021?

729

Currently, the number of optometrists practicing in the state is 721. 240 licensed doctors are practicing in another state but maintain their Oklahoma license.

7. How many licenses are expected to be needed in 2025?

761

8. How many licenses are expected to be needed in 2030?

801

9. How many people have applied in the last 4 years for the license?

174

10. How many people have been issued a license in the last 4 years?

173

11. How many have renewed their licenses after the expired term in the last 4 years?

195

12. Does Oklahoma have reciprocity with our Oklahoma license in any of the other 50 states or U.S. territories?

No.

Oklahoma does not have reciprocity with any other state. Oklahoma scope of practice exceeds all other states' scope of practice. Other states' licenses are not equivalent with Oklahoma. Optometry's scope of practice in Oklahoma includes use of ophthalmic lasers and minor anterior segment ocular surgery which exceeds the scope of practice of all other states.

13. If so, what states or U.S. territories and what are the parameters?

Not applicable.

14. If not, what is preventing this Oklahoma license from being recognized in other states or U.S. territories?

Oklahoma scope of practice exceeds all other states scope of practice.

There are other states that do recognize Oklahoma licenses and allow the doctor to practice in their state since our scope of practice is equivalent or exceeds their state scope of practice. All VA centers, Indian Health Agencies, and the military recognize Oklahoma licensure for their optometrists. Many doctors choose to have an Oklahoma license, which will allow them to use this full scope of practice in any of these locations. At present, there are 240 licensees practicing outside the state of Oklahoma.

15. Specifically, are U.S. military members or their spouses able when relocating to Oklahoma to have reciprocity with their current out of state license or do they need to apply for an Oklahoma license?

Yes, U.S. military members or their spouses are able to have reciprocity when relocating to Oklahoma.

U.S. military spouses are granted a temporary license when military members are assigned to a station in Oklahoma. The temporary license will allow the spouse that is licensed in another state to practice optometry at the level of scope in which he/she is licensed. The temporary license will provide immediate employment to the spouse until the Board can certify by full licensure at the next available Board Examination.

16. What is the average time for someone who starts the process of pursuing a license with no experience to when it is issued?

The average time for someone to be licensed is approximately one and one half months.
Applications for licensure are accepted after successful completion of National Boards and upon completion of graduation from a school of optometry. Applications are received beginning in May 1st through June of each year. Background checks are performed prior to Board Examination in July.

17. What is the average time for someone who starts the process of applying for an Oklahoma license who holds a license issued from Kansas, Colorado, New Mexico, Texas, Arkansas, Missouri, and California?

The average time for a licensed optometrist in the surrounding states to be licensed in Oklahoma is one and half months.

18. Outside of licensing are there other methods of regulating the occupation in other states or U.S. territories?

Yes.

Regulation of the profession outside of state licensure is done by Rules and Regulations of the Federal Trade Commission and DEA.

19. During the COVID pandemic how has considering and approving licenses continued?

The Board continued to process all applicants for licensure and conducted the required Oklahoma Board Examinations in July 2020 as regularly scheduled.

- *Adhering to CDC guidelines, the Board Examinations were administered with caution by requiring masks, temperature measurements and social distancing. Applications and fees were processed online.*
- *Executive Order 2020-20 moved the license renewal back to October 28, 2020. Licenses that would have expired June 30, 2020 were able to continue to practice in good standing without a penalty.*

20. Has the licensing entity provided guidance to their license holders during the pandemic as their license related to health and safety?

Yes.

The Board of Optometry notified all licensees to follow the recommendations of CDC, the Governor of Oklahoma and the American Optometric Association. The guidelines are still in place.

21. Does the licenses allow practitioners to practice to the full scope of their training?

Yes.

All practitioners that are licensed in the state in 2020 are allowed to practice to the full scope of their training.

22. Is there anything they are trained to do that we do not allow them to do in Oklahoma?

Yes. Optometrists could provide flu immunizations as a mid-level practitioner like a PA, NP, etc.

- *Providing immunization by optometrists is not allowed by statute.*
- *California optometric scope of practice does allow optometrists to provide immunizations.*
- *Optometrists are considered to be a mid-level practitioner.*
- *All new graduates will have four years of undergraduate training plus 4 years of professional optometric training with a doctorate degree in optometry.*
- *By statute, optometrists are classified as a physician.*
- *Training in general and ocular pharmacology plus clinical training and treating with medications orally, topically, and injections which will provide a background of experience that provides the ability to do testing for influenza and be capable of providing influenza immunization and treatment for conditions like H1N1, flu, and COVID-19, etc. The training received in optometry school for general and ocular pharmacology is equivalent to medical schools. Optometrists can treat with controlled dangerous drugs and scheduled drugs in Class III-IV and Class II Hydrocodone.*
- *Optometrists are required to maintain cardiopulmonary resuscitation (CPR) training.*
- *The optometrist would work in conjunction with the patient's general physician.*

State Board of Pharmacy

- Pharmacist

1. 1,500 hours of board approved experience is required. What is the requirement of hours in each of the 50 states?

The majority of states require between 1,000-2,000 hours, but each state varies on how hours earned are accepted (in-school, out of school, etc.).

2. In light of the COVID pandemic, are there any changes to their scope of practice abilities we should make?

Granting Pharmacists provider status to allow them to bill for services provided would be very beneficial because payment becomes crucial in Pharmacists having the ability to provide a service.

3. Is it true that Pharmacists in Oklahoma can only currently offer limited vaccinations, even though their training comprehensively covers vaccination?

A Pharmacist may administer all vaccinations as long as they are operating under the appropriate protocol in conjunction with an Oklahoma licensed physician.

4. Does the licensing process allow them to administer COVID vaccines if and when a vaccine comes out?

There is no protocol required for COVID vaccines.

Please respond to each question below for **EACH** of the following

- Pharmacists

- Pharmacists Interns

- Pharmacy Technician

1. Is there a shortage or surplus of licensees in the occupation?

OSBP believes the need for Pharmacists and Interns are equal to the demand, but that there is a shortage of Pharmacy Technicians.

2. What impact does the licensing requirement have on the workforce and the ability to have the amount needed in Oklahoma?

None- OSBP processes all complete applications in an adequate amount of time.

3. How many active licenses are there?

As of August 31, 2020:

Pharmacists- 7,390

Technicians- 5,752

Pharmacy Interns- 692

4. Ballpark number how many positions are currently open in Oklahoma for each license?

Pharmacists- Approximately 500 / Technicians- Approximately 700 / Interns- Approximately 850
*Technician number is an elevated guess due to turnover and season. This number constantly fluctuates.

*Intern number is based on the number of rotations each Pharmacy School offers, not dictated by OSBP.

5. Is there is a need for more licenses to be issued? If no, why not?

If this question is asking if there is a need for new license types to be created for regulation, the answer would be no. If this question is asking if there is a need for OSBP to issue more licenses, we are always willing and able to accommodate an increase in the number of applications we currently process.

6. How many licenses are expected to be needed in 2021?

Based on the last 10 years, OSBP expected to issue roughly 500 Pharmacist licenses, 1,000 technician permits, and 200 Pharmacy Intern licenses.

7. How many licenses are expected to be needed in 2025?

The exact number will be hard to project. It can be anticipated to be a significant increase in all fields due to an increase in demand in these fields (i.e. MTM or Medication Therapy Management, PBM or Pharmacy Benefits Management, plus new fields of pharmacy entering into the State of Oklahoma).

8. How many licenses are expected to be needed in 2030?

(Same answer as #7)

9. How many people have applied in the last 4 years for the license?

This question would fall into relation to #10 though there is not an exact number due to the fact that not all applications have been processed due to reasons such as failing exams, incomplete application with no response, etc.

10. How many people have been issued a license in the last 4 years?

Pharmacist- 1,694
Technicians- 4,021
Pharmacy Interns- 729

11. How many have renewed their licenses after the expired term in the last 4 years?

Rough guess- Around 2% of Pharmacists and Technicians renew after their expiration date each year. Pharmacy Interns do not have an annual renewal so this would not apply to them.

12. Does Oklahoma have reciprocity with our Oklahoma license in any of the other 50 states or U.S. territories?

Yes.

13. If so, what states or U.S. territories and what are the parameters?

All U.S. states and territories *except* California.

14. If not, what is preventing this Oklahoma license from being recognized in other states or U.S. territories?

N/A

15. Specifically, are U.S. military members or their spouses able when relocating to Oklahoma to have reciprocity with their current out of state license or do they need to apply for an Oklahoma license?

Military members/spouses must still apply for an Oklahoma license, but OSBP does not charge any application or licensure fee.

16. What is the average time for someone who starts the process of pursuing a license with no experience to when it is issued?

Pharmacist (New Graduates)- Once the PharmD degree is obtained, the average amount of time it takes to obtain an Oklahoma Pharmacist license is 40-50 days. If applying by Reciprocity, the licensure process could take up to 60 days.

OSBP only requires a high school diploma/GED for Technician permits. The typical turnaround time for technician permits to be processed is 21 days.

Pharmacy Interns must be currently enrolled and actively taking classes at an accredited College/School of Pharmacy. The average turnaround time for a Pharmacy Intern license is 14 days.

17. What is the average time for someone who starts the process of applying for an Oklahoma license who holds a license issued from California, Kansas, Colorado, New Mexico, Texas, Arkansas, Missouri, and California?

**Oklahoma does not have a reciprocal agreement with the State of California.*

The average amount of time it takes for a new graduate to obtain an Oklahoma Pharmacist license is 40-50 days. If applying by Reciprocity, it could take up to 60 days.

Typical turnaround time for technician permits to be processed is 21 days and the average turnaround time for Pharmacy Interns 14 days.

18. During the COVID pandemic how has considering and approving licenses continued?

COVID has had *zero* impact on licensure at OSBP. Even during the short time employees worked remotely, they still came in to the office one day per week to issue licenses to avoid any interruption. While the OSBP office still remains closed to the public, all staff is working in the office during regular business hours as normal.

19. Has the licensing entity provided guidance to their license holders during the pandemic as their license related to health and safety?

OSBP created a "COVID-19 Waiver Request Form" around March 2020, which allows the Executive Director to grant exceptions to certain Rules (not Statutes) in the Oklahoma Pharmacy

Law Book that would be beneficial to the safety of not just the citizens of Oklahoma, but also to all pharmacies and staff. To date OSBP has granted almost 500 waivers.

20. Does the licenses allow practitioners to practice to the full scope of their training?

Yes.

21. Is there anything they are trained to do that we do not allow them to do in Oklahoma?

No, although a large amount of Pharmacists choose not to practice certain aspects of what they are trained for because of the lack of provider status; They would ultimately be providing services at no cost.

Speech Pathology & Audiology, Board of Examiners

Please respond to each question below for EACH of the following

- Audiologist

- Speech Pathologist

1. Is there a shortage or surplus of licensees in the occupation?
High shortage in rural school settings; many of the new graduates want to work in health care settings. Some of the issue is also available funds for salaries both in healthcare and the school settings.
Shortage of Audiologist; especially educational audiologist.
2. What impact does the licensing requirement have on the workforce and the ability to have the amount needed in Oklahoma?
NONE. The licensure requirement helps to protect the consumer of services by ensuring provision of services by the highest qualified provider. Licensure is required by third party payers such as Medicare and Medicaid. Licensure is also required by the Joint Commission of Healthcare Organizations to ensure payment for services. These requirements are in effect to protect the consumer of services by ensuring provision of services by the highest qualified provider. The requirement of licensure by the state does not change these requirements for third party payers. Unlicensed practitioners would not be employable in healthcare settings.
Audiology- the licensing requirement has a positive impact on the audiology profession as it has made it a doctoral program. Audiology is no longer a profession of just fitting hearing aids but has moved to a more hearing health care approach and more education in the vestibular system as well as electrophysiological testing.
3. How many active licenses are there?
2486
279
4. Ball park number how many positions are currently open in Oklahoma for each license?
No idea
No idea
5. Is there is a need for more licenses to be issued? If no, why not?
I do not necessarily think there is a need to simply issue more licenses. I think it is more accurate and better serving to say there is a need for more licensed professionals who meet or exceed the current requirements for licensure. The answer is to increase the training of these professionals and to increase reimbursement for the services we provide to allow employers to hire a greater number. It is very circular.
Yes there is a need for more audiologists but the licensing requirements should be lessened.

6. How many licenses are expected to be needed in 2021?
2600
300
7. How many licenses are expected to be needed in 2025?
2800-3000
350
8. How many licenses are expected to be needed in 2030?
3000-3200
400
9. How many people have applied in the last 4 years for the license?
718
103
10. How many people have been issued a license in the last 4 years?
718
103
11. How many have renewed their licenses after the expired term in the last 4 years?
All but about 80-100 licensees
12. Does Oklahoma have reciprocity with our Oklahoma license in any of the other 50 states or U.S. territories?
We do not have reciprocity with other states. Oklahoma is one of the states that is part of the licensure compacts that is in the process of becoming active.
You have to hold an Oklahoma license to practice in this state, unless you work for the federal government.
13. If so, what states or U.S. territories and what are the parameters?
N/A
14. If not, what is preventing this Oklahoma license from being recognized in other states or U.S. territories?
State statutes are not written to allow reciprocity.
State statutes are not written to allow reciprocity.
15. Specifically, are U.S. military members or their spouses able when relocating to Oklahoma to have reciprocity with their current out of state license or do they need to apply for an Oklahoma license?
They are given reciprocity but still have to apply and meet licensing requirements in our state.
They are given reciprocity but still have to apply and meet licensing requirements in our state.

16. What is the average time for someone who starts the process of pursuing a license with no experience to when it is issued?
At the longest one-two weeks
At the longest one-two weeks
17. What is the average time for someone who starts the process of applying for an Oklahoma license who holds a license issued from California, Kansas, Colorado, New Mexico, Texas, Arkansas, Missouri, and California?
At the longest one - two weeks
At the longest one-two weeks
18. Outside of licensing are there other methods of regulating the occupation in other states or U.S. territories?
No. ASHA certification, but this is not required and not all SLPs have ASHA certification
No
19. During the COVID pandemic how has considering and approving licenses continued?
We have met in person to approve with implementation of masking and social distancing. The files were reviewed prior to the meeting to reduce time spent together.
We have met in person to approve with implementation of masking and social distancing. The files were reviewed prior to the meeting to reduce time spent together.
20. Has the licensing entity provided guidance to their license holders during the pandemic as their license related to health and safety?
No, This is employment setting specific and regulated because the spectrum of our jobs is vast.
No, This is employment setting specific and regulated because the spectrum of our jobs is vast.
21. Wouldn't registration accomplish the goals of each of these licenses/certifications in a less restrictive manner?
Absolutely not
Absolutely not
22. Does the licenses allow practitioners to practice to the full scope of their training?
Yes
Yes
23. Is there anything they are trained to do that we do not allow them to do in Oklahoma?
No
No

