

**From:** [KS Board of Optometry](#)  
**To:** [Jan Murray \[KSSBEO\]](#)  
**Subject:** Courtesy Copy: Implementation costs for KAR 65-8-4  
**Date:** Wednesday, October 9, 2024 1:17:35 PM

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**This is a courtesy copy of an email bulletin sent by Jan Murray.**

**This bulletin was sent to the following groups of people:**

Subscribers of Licensure Renewals - Even or Licensure Renewals - Odd (938 recipients)

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The Board is inquiring whether you will incur any costs when KAR 65-8-4 (Content of a Prescription) is updated. Please email your estimated costs, if any, to [kssbeo@ks.gov](mailto:kssbeo@ks.gov)

[65-8-4 Content of a prescription 09192024.docx](#)

Please respond by 09/16/2024.

Jan Murray, Executive Officer  
Kansas Board of Examiners in Optometry  
3109 W 6th St, Suite A  
Lawrence, KS 66049  
Phone: 785-832-9986  
Fax: 785-856-2323 j  
[an.murray@ks.gov](mailto:an.murray@ks.gov)  
[www.kssbeo.ks.gov](http://www.kssbeo.ks.gov)

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**From:** [Wayne R. Gilmore](#)  
**To:** [KS Board of Optometry](#); [Jan Murray \[KSSBEO\]](#)  
**Subject:** Re: Implementation costs for KAR 65-8-4  
**Date:** Wednesday, October 9, 2024 3:32:14 PM

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Jan and Board: I do not believe these changes will have any financial impact on my practice. However, I do have a couple of concerns, which I hope can at least be discussed by the board.

The first, is the use of the word "shall" when discussing 65-8-4 (a) and (c) and (d) in my opinion is not used correctly. The term "shall" is defined as *"an imperative word that usually indicates a mandatory action, requirement, or obligation."*

Not every glasses prescription will have a cylinder power, axis, or prism. I believe there needs to be a better word that reflects this fact or someone is is very literal will require all of the components to qualify for a proper prescription. Much like what was happening at some Walmart optical's recently with them requiring the disinfection solution, and far/near Pd's.

I do believe that (e) (f) and (h) use "shall" in the proper way.

Next, I do not believe the patients PD should not be required. I feel like the distance PD should be required. I know many do not agree, I am just stating my opinion on what is best for our profession and the public. Those who hold this back as an obstacle to slow patients from buying glasses online is a big reason we having the issues we are having with the FTC currently in my opinion.

Lastly, if this is found in another location OK, but shouldn't a valid contact lens RX also require the prescriber to use the name brand of the lens, if using a private label? For example, we have a private label for Biofinity called "AquaClear" Shouldn't we be required to write the RX for "Biofinity" or does the seller know to interpret the private label to the brand name? Again, trying to see things from the viewpoint of the public.

Thank you

Wayne Gilmore

On 10/9/2024 1:14 PM, KS Board of Optometry wrote:

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[an.murray@ks.gov](mailto:an.murray@ks.gov)  
[www.kssbeo.ks.gov](http://www.kssbeo.ks.gov)

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