



1 GIES TO GATHER REQUIRED ENVIRONMENTAL AND SPATIAL INFORMATION; (B) THE  
2 DEVELOPMENT OF APPROPRIATE INTEGRATED SERVICE PLANS TAILORED TO MEET  
3 SUCH INDIVIDUAL NEEDS AS IDENTIFIED IN SUCH ASSESSMENT PROCESS; (C) THE  
4 PROVISION OF TRAINING IN, AND UTILIZATION OF (I) EQUIPMENT AND ADAPTIVE  
5 DEVICES INTENDED AND DESIGNED FOR USE BY PERSONS WHO ARE VISUALLY  
6 IMPAIRED, AND (II) SPECIALIZED TECHNIQUES ADAPTED FOR PERSONS WHO ARE  
7 VISUALLY IMPAIRED, INCLUDING BUT NOT LIMITED TO ORIENTATION; SENSORY  
8 DEVELOPMENT; SYSTEMS OF SAFE MOVEMENT, INCLUDING LONG CANE TECHNIQUES;  
9 RESOURCE IDENTIFICATION AND, AS APPROPRIATE, PROFESSIONAL REFERRALS;  
10 AND, IN APPLIED SETTINGS, REINFORCING INSTRUCTION FOR THE USE OF OPTICAL  
11 DEVICES AS PRESCRIBED BY OPTOMETRISTS AND OPHTHALMOLOGISTS; AND (D) THE  
12 EVALUATION OF CLIENTS RECEIVING SUCH SPECIALIZED TRAINING.

13 2. THE PRACTICE OF "VISION REHABILITATION THERAPY" SHALL MEAN: (A) THE  
14 ASSESSMENT OF INDIVIDUAL NEEDS OF PERSONS WHO ARE VISUALLY IMPAIRED FOR  
15 SKILLS TRAINING IN INDEPENDENT LIVING AND COMMUNICATIONS; (B) THE DEVEL-  
16 OPMENT OF APPROPRIATE INTEGRATED SERVICE PLANS TAILORED TO MEET SUCH  
17 INDIVIDUAL NEEDS AS IDENTIFIED IN SUCH ASSESSMENT PROCESS; (C) THE  
18 PROVISION OF TRAINING IN, AND UTILIZATION OF (I) EQUIPMENT AND ADAPTIVE  
19 DEVICES INTENDED AND DESIGNED FOR USE BY PERSONS WHO ARE VISUALLY  
20 IMPAIRED, INCLUDING, IN APPLIED SETTINGS, REINFORCING INSTRUCTION FOR  
21 THE USE OF OPTICAL DEVICES AS PRESCRIBED BY OPTOMETRISTS OR OPHTHALMOLO-  
22 GISTS, AND (II) SPECIALIZED TECHNIQUES ADAPTED FOR PERSONS WHO ARE VISU-  
23 ALLY IMPAIRED, INCLUDING BUT NOT LIMITED TO BRAILLE AND OTHER COMMUNI-  
24 CATION SKILLS; ADAPTED COMPUTER TECHNOLOGY; PERSONAL MANAGEMENT SKILLS;  
25 HOME MANAGEMENT SKILLS; PROBLEM SOLVING SKILLS; RESOURCE MANAGEMENT AND,  
26 AS APPROPRIATE, PROFESSIONAL REFERRALS; AND (D) THE EVALUATION OF  
27 PERSONS RECEIVING SUCH SPECIALIZED TRAINING.

28 3. THE PRACTICE OF "VISION REHABILITATION SERVICES" SHALL MEAN PROVID-  
29 ING ASSESSMENT AND EVALUATION OF, AND TRAINING FOR, PERSONS WHO ARE  
30 VISUALLY IMPAIRED WHEN SUCH ASSESSMENT, EVALUATION AND TRAINING INCORPO-  
31 RATES THE FULL RANGE OF SPECIALIZED SKILLS AND TASKS SUBSUMED IN THE TWO  
32 PROFESSIONS DEFINED IN THIS SECTION AS: (A) ORIENTATION AND MOBILITY  
33 TRAINING AND (B) VISION REHABILITATION THERAPY. SUCH SERVICES SHALL BE  
34 RENDERED ON THE PRESCRIPTION OR REFERRAL WHICH MAY BE DIRECTIVE AS TO  
35 TREATMENT BY A LICENSED PHYSICIAN OR OPTOMETRIST, PROVIDED HOWEVER THAT  
36 NO SUCH TREATMENT DIRECTIVE AND LOW VISION EXAMINATION SHALL BE REQUIRED  
37 WHEN THE PERSON BEING REFERRED HAS BEEN DIAGNOSED WITHIN THE PREVIOUS  
38 TWELVE MONTHS AS VISUALLY IMPAIRED, BLIND OR LEGALLY BLIND AS THOSE  
39 TERMS ARE DEFINED IN SUBDIVISION FIVE OF THIS SECTION AND SUCH SERVICES  
40 ARE BEING RENDERED CONSISTENT WITH THAT DIAGNOSIS, PRESCRIPTION OR  
41 REFERRAL. VISION REHABILITATION THERAPISTS AND ORIENTATION AND MOBILITY  
42 SPECIALISTS MAY NOT PRESCRIBE OPTICAL LOW VISION DEVICES.

43 4. "APPLIED SETTINGS" MEANS THOSE LOCATIONS WHERE PERSONS WHO ARE  
44 VISUALLY IMPAIRED ENGAGE IN DAY-TO-DAY ACTIVITIES UTILIZING THE TOOLS  
45 SUPPLIED AND TECHNIQUES TAUGHT BY THE LICENSED PRACTITIONERS DEFINED IN  
46 THIS ARTICLE.

47 5. "VISUALLY IMPAIRED" MEANS A PERSON WHO IS TOTALLY BLIND, LEGALLY  
48 BLIND OR PARTIALLY SIGHTED. A PERSON WHO IS BLIND IS ONE WHO HAS NO  
49 USEABLE VISION. A PERSON WHO IS LEGALLY BLIND IS ONE WHO SATISFIES THE  
50 DEFINITION SET FORTH IN SUBDIVISION B OF SECTION THREE OF CHAPTER FOUR  
51 HUNDRED FIFTEEN OF THE LAWS OF NINETEEN HUNDRED THIRTEEN. A PERSON WHO  
52 IS PARTIALLY SIGHTED IS ONE WHO HAS FUNCTIONAL VISION IMPAIRMENT THAT  
53 CONSTITUTES A SIGNIFICANT LIMITATION OF VISUAL CAPABILITY RESULTING FROM  
54 DISEASE, TRAUMA, OR CONGENITAL CONDITION, THAT CANNOT BE FULLY AMELIO-  
55 RATED BY STANDARD REFRACTIVE CORRECTION, MEDICATION, OR SURGERY, AND  
56 THAT IS MANIFESTED BY ONE OR MORE OF THE FOLLOWING: INSUFFICIENT VISUAL

1 RESOLUTION, INADEQUATE FIELD OF VISION OR REDUCED PEAK CONTRAST SENSI-  
2 TIVITY.

3 S 8802. USE OF THE TITLES "LICENSED ORIENTATION AND MOBILITY SPECIAL-  
4 ISTS" AND "VISION REHABILITATION THERAPISTS". 1. PRACTICE OF ORIEN-  
5 TATION AND MOBILITY TRAINING AND USE OF THE TITLE "LICENSED ORIENTATION  
6 AND MOBILITY SPECIALISTS". ONLY A PERSON LICENSED OR OTHERWISE AUTHOR-  
7 IZED UNDER THIS ARTICLE SHALL PRACTICE ORIENTATION AND MOBILITY TRAINING  
8 OR USE THE TITLE "LICENSED ORIENTATION AND MOBILITY SPECIALISTS" IN  
9 CONNECTION WITH HIS OR HER NAME OR WITH ANY TRADE NAME IN THE CONDUCT OF  
10 HIS OR HER PROFESSION.

11 2. PRACTICE OF VISION REHABILITATION THERAPY AND USE OF THE TITLE  
12 "VISION REHABILITATION THERAPIST". ONLY A PERSON LICENSED OR OTHERWISE  
13 AUTHORIZED UNDER THIS ARTICLE SHALL PRACTICE VISION REHABILITATION THER-  
14 APY OR USE THE TITLE "VISION REHABILITATION THERAPIST" IN CONNECTION  
15 WITH HIS OR HER NAME OR WITH ANY TRADE NAME IN THE CONDUCT OF HIS OR HER  
16 PROFESSION.

17 S 8803. STATE BOARD FOR VISION REHABILITATION SERVICES. A STATE BOARD  
18 FOR VISION REHABILITATION SERVICES SHALL BE APPOINTED BY THE BOARD OF  
19 REGENTS UPON THE RECOMMENDATION OF THE COMMISSIONER FOR THE PURPOSE OF  
20 ASSISTING THE BOARD OF REGENTS AND THE DEPARTMENT ON MATTERS OF PROFES-  
21 SIONAL LICENSING AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION  
22 SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE. THE BOARD SHALL CONSIST OF NOT  
23 LESS THAN FOURTEEN INDIVIDUALS, FOUR OF WHOM SHALL BE LICENSED ORIEN-  
24 TATION AND MOBILITY SPECIALISTS, FOUR OF WHOM SHALL BE LICENSED VISION  
25 REHABILITATION THERAPISTS, ONE OPHTHALMOLOGIST SPECIALIZING IN LOW  
26 VISION TREATMENT, ONE OPTOMETRIST SPECIALIZING IN LOW VISION TREATMENT  
27 AND FOUR OF WHOM SHALL BE BLIND REPRESENTATIVES OF THE PUBLIC AT LARGE  
28 WHOSE NAMES WILL BE PLACED IN NOMINATION FOR THE BOARD FROM ORGANIZA-  
29 TIONS OF THE BLIND OR VISUALLY IMPAIRED. MEMBERS OF THE INITIAL BOARD  
30 NEED NOT BE LICENSED PRIOR TO THEIR APPOINTMENT TO THE BOARD. OF THE  
31 MEMBERS FIRST APPOINTED, FOUR SHALL BE APPOINTED FOR A THREE YEAR TERM,  
32 FIVE SHALL BE APPOINTED FOR A FOUR YEAR TERM, AND FIVE SHALL BE  
33 APPOINTED FOR A FIVE YEAR TERM. THEREAFTER ALL MEMBERS SHALL SERVE FOR  
34 FIVE YEAR TERMS. IN THE EVENT THAT MORE THAN FOURTEEN MEMBERS ARE  
35 APPOINTED, A MAJORITY OF THE ADDITIONAL MEMBERS SHALL BE LICENSED ORIEN-  
36 TATION AND MOBILITY SPECIALISTS AND LICENSED VISION REHABILITATION THER-  
37 APISTS. THE MEMBERS OF THE BOARD SHALL SELECT ONE OF THEMSELVES AS CHAIR  
38 TO SERVE FOR A ONE YEAR TERM. AN EXECUTIVE SECRETARY SHALL BE APPOINTED  
39 BY THE BOARD OF REGENTS UPON THE RECOMMENDATION OF THE COMMISSIONER.

40 S 8804. REQUIREMENTS FOR A LICENSE. 1. TO QUALIFY FOR A LICENSE AS AN  
41 ORIENTATION AND MOBILITY SPECIALIST, AN APPLICANT SHALL FULFILL THE  
42 FOLLOWING REQUIREMENTS:

43 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

44 (B) EDUCATION/EXPERIENCE: (I) HAVE SATISFACTORILY COMPLETED AN  
45 APPROVED ORIENTATION AND MOBILITY CURRICULUM IN A BACCALAUREATE OR  
46 MASTERS PROGRAM, OR A CERTIFICATE PROGRAM SATISFACTORY TO THE DEPARTMENT  
47 WHICH IS SUBSTANTIALLY EQUIVALENT TO A BACCALAUREATE DEGREE PROGRAM, IN  
48 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND

49 (II) HAVE A MINIMUM OF THREE MONTHS OF SUPERVISED ORIENTATION AND  
50 MOBILITY EXPERIENCE WHICH SUPERVISION AND EXPERIENCE SHALL BE SATISFAC-  
51 TORY TO THE STATE BOARD FOR VISION REHABILITATION SERVICES AND IN  
52 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

53 (C) EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN  
54 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS THAT MAY BE BASED ON AN  
55 EXAM UTILIZED BY ANY NATIONALLY RECOGNIZED ACCREDITING OR CERTIFICATION  
56 BODY SUCH AS THE ACADEMY FOR CERTIFICATION OF VISION REHABILITATION AND

1 EDUCATION PROFESSIONALS (ACVREP), NATIONAL ORIENTATION AND MOBILITY  
2 CERTIFICATE (NOMC) ADMINISTERED BY THE NATIONAL BLINDNESS PROFESSIONAL  
3 CERTIFICATION BOARD (NBPCB) OR AN EQUIVALENT EXAM.

4 (D) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;

5 (E) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-  
6 MENT;

7 (F) REGISTRATION: ALL LICENSED ORIENTATION AND MOBILITY SPECIALISTS  
8 SHALL REGISTER TRIENNIALLY WITH THE DEPARTMENT IN ACCORDANCE WITH THE  
9 COMMISSIONER'S REGULATION;

10 (G) MANDATORY CONTINUING COMPETENCY: (I)(A) EACH LICENSED ORIENTATION  
11 AND MOBILITY SPECIALIST REQUIRED UNDER THIS ARTICLE TO REGISTER TRIENNI-  
12 ALLY WITH THE DEPARTMENT TO PRACTICE IN THE STATE SHALL COMPLY WITH THE  
13 PROVISIONS OF THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS  
14 PRESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EXCEPT AS PROVIDED IN  
15 CLAUSES (B) AND (C) OF THIS SUBPARAGRAPH. ORIENTATION AND MOBILITY  
16 SPECIALISTS WHO DO NOT SATISFY THE MANDATORY CONTINUING COMPETENCY  
17 REQUIREMENTS SHALL NOT BE AUTHORIZED TO PRACTICE UNTIL THEY HAVE MET  
18 SUCH REQUIREMENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE,  
19 EXCEPT THAT AN ORIENTATION AND MOBILITY SPECIALIST MAY PRACTICE WITHOUT  
20 HAVING MET SUCH REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGIS-  
21 TRATION PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH.

22 (B) ORIENTATION AND MOBILITY SPECIALISTS SHALL BE EXEMPT FROM THE  
23 MANDATORY CONTINUING COMPETENCY REQUIREMENT FOR THE TRIENNIAL REGISTRA-  
24 TION PERIOD DURING WHICH THEY ARE FIRST LICENSED. ADJUSTMENT TO THE  
25 MANDATORY CONTINUING COMPETENCY REQUIREMENTS MAY BE GRANTED BY THE  
26 DEPARTMENT FOR REASONS OF HEALTH OF THE LICENSEE WHERE CERTIFIED BY AN  
27 APPROPRIATE HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE  
28 ARMED FORCES OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO  
29 THE DEPARTMENT WHICH MAY PREVENT COMPLIANCE.

30 (C) A LICENSED ORIENTATION AND MOBILITY SPECIALIST NOT ENGAGED IN  
31 PRACTICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE  
32 MANDATORY CONTINUING COMPETENCY REQUIREMENT UPON THE FILING OF A STATE-  
33 MENT WITH THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS  
34 TO PRACTICE OF THE PROFESSION OF ORIENTATION AND MOBILITY SPECIALIST  
35 DURING THE TRIENNIAL REGISTRATION PERIOD SHALL NOTIFY THE DEPARTMENT  
36 PRIOR TO REENTERING THE PROFESSION AND SHALL MEET SUCH MANDATORY CONTIN-  
37 UING COMPETENCY REQUIREMENTS AS SHALL BE PRESCRIBED BY REGULATIONS OF  
38 THE COMMISSIONER.

39 (II) DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-  
40 TRATION AS AN ORIENTATION AND MOBILITY SPECIALIST SHALL COMPLETE A MINI-  
41 MUM OF TWENTY-FOUR HOURS OF ACCEPTABLE LEARNING ACTIVITIES WHICH  
42 CONTRIBUTE TO CONTINUING COMPETENCE, AS SPECIFIED IN SUBPARAGRAPH (IV)  
43 OF THIS PARAGRAPH, PROVIDED FURTHER THAT AT LEAST SIXTEEN HOURS SHALL BE  
44 IN RECOGNIZED AREAS OF STUDY PERTINENT TO THE PROFESSIONAL SCOPE OF A  
45 LICENSED ORIENTATION AND MOBILITY SPECIALIST. ANY ORIENTATION AND MOBIL-  
46 ITY SPECIALIST WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE  
47 DATE OF THIS SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE  
48 DATE, BUT ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, SHALL  
49 COMPLETE CONTINUING COMPETENCY HOURS ON A PRORATED BASIS AT THE RATE OF  
50 ONE-HALF HOUR PER MONTH FOR THE PERIOD BEGINNING JANUARY FIRST, TWO  
51 THOUSAND FIFTEEN UP TO THE FIRST REGISTRATION DATE. THEREAFTER, A LICEN-  
52 SEE WHO HAS NOT SATISFIED THE MANDATORY CONTINUING COMPETENCY REQUIRE-  
53 MENTS SHALL NOT BE ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY THE  
54 DEPARTMENT AND SHALL NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL REGIS-  
55 TRATION CERTIFICATE IS ISSUED AS PROVIDED FOR IN SUBPARAGRAPH (III) OF

1 THIS PARAGRAPH. CONTINUING COMPETENCY HOURS TAKEN DURING ONE TRIENNIUM  
2 MAY NOT BE TRANSFERRED TO A SUBSEQUENT TRIENNIUM.

3 (III) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL  
4 REGISTRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING COMPETENCY  
5 REQUIREMENTS ESTABLISHED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, BUT WHO  
6 AGREES TO MAKE UP ANY DEFICIENCIES AND COMPLETE ANY ADDITIONAL LEARNING  
7 ACTIVITIES WHICH THE DEPARTMENT MAY REQUIRE. THE FEE FOR SUCH A CONDI-  
8 TIONAL REGISTRATION SHALL BE THE SAME AS, AND IN ADDITION TO, THE FEE  
9 FOR THE TRIENNIAL REGISTRATION. THE DURATION OF SUCH CONDITIONAL REGIS-  
10 TRATION SHALL BE DETERMINED BY THE DEPARTMENT BUT SHALL NOT EXCEED ONE  
11 YEAR. ANY LICENSEE WHO IS NOTIFIED OF THE DENIAL OF REGISTRATION FOR  
12 FAILURE TO SUBMIT EVIDENCE, SATISFACTORY TO THE DEPARTMENT, OF REQUIRED  
13 CONTINUING COMPETENCY LEARNING ACTIVITIES AND WHO PRACTICES WITHOUT SUCH  
14 REGISTRATION, MAY BE SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO  
15 SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

16 (IV) AS USED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "ACCEPTABLE  
17 LEARNING ACTIVITIES" SHALL MEAN ACTIVITIES WHICH CONTRIBUTE TO THE  
18 PROFESSIONAL PRACTICE OF AN ORIENTATION AND MOBILITY SPECIALIST AND  
19 WHICH MEET THE STANDARDS PRESCRIBED IN THE REGULATIONS OF THE COMMIS-  
20 SIONER. SUCH LEARNING ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO,  
21 COLLEGIATE LEVEL CREDIT AND NON-CREDIT COURSES, SELF-STUDY ACTIVITIES,  
22 INDEPENDENT STUDY, FORMAL MENTORING ACTIVITIES, PUBLICATIONS IN PROFES-  
23 SIONAL JOURNALS, PROFESSIONAL DEVELOPMENT PROGRAMS AND TECHNICAL  
24 SESSIONS; SUCH LEARNING ACTIVITIES MAY BE OFFERED AND SPONSORED BY  
25 NATIONAL, STATE AND LOCAL PROFESSIONAL ASSOCIATIONS AND OTHER ORGANIZA-  
26 TIONS OR PARTIES ACCEPTABLE TO THE DEPARTMENT, AND ANY OTHER ORGANIZED  
27 EDUCATIONAL AND TECHNICAL LEARNING ACTIVITIES ACCEPTABLE TO THE DEPART-  
28 MENT. RECOGNIZED AREAS OF STUDY SHALL INCLUDE BUT NOT BE LIMITED TO:  
29 KNOWLEDGE AND SKILLS TRAINING IN ORIENTATION, MOBILITY, NAVIGATION,  
30 INDEPENDENT LIVING, COMMUNICATIONS AND USE OF PRESCRIBED AND, ADAPTIVE  
31 OPTICAL DEVICES; UTILIZATION OF SPECIALIZED TECHNIQUES AND EQUIPMENT  
32 INTENDED FOR USE BY PERSONS WHO ARE VISUALLY IMPAIRED; THE MEDICAL  
33 ASPECTS OF VISION LOSS AND ITS FUNCTIONAL IMPACT ON PERSONS WHO ARE  
34 VISUALLY IMPAIRED; AND SUCH OTHER TECHNICAL SUBJECT MATTER AREAS APPRO-  
35 PRIATELY RELATED TO THE PRACTICE OF VISION REHABILITATION SERVICES AS  
36 MAY BE SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH THE COMMISSION-  
37 ER'S REGULATIONS. THE DEPARTMENT MAY, IN ITS DISCRETION AND AS NEEDED TO  
38 CONTRIBUTE TO THE HEALTH AND WELFARE OF THE PUBLIC, REQUIRE THE  
39 COMPLETION OF CONTINUING COMPETENCY LEARNING ACTIVITIES IN SPECIFIC  
40 SUBJECTS TO FULFILL THIS MANDATORY CONTINUING COMPETENCY REQUIREMENT.  
41 LEARNING ACTIVITIES MUST BE TAKEN FROM A SPONSOR APPROVED BY THE DEPART-  
42 MENT, PURSUANT TO THE REGULATIONS OF THE COMMISSIONER.

43 (V) ORIENTATION AND MOBILITY SPECIALISTS SHALL MAINTAIN ADEQUATE  
44 DOCUMENTATION OF COMPLETION OF ACCEPTABLE CONTINUING COMPETENCY LEARNING  
45 ACTIVITIES AND SHALL PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE  
46 DEPARTMENT. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF  
47 THE DEPARTMENT SHALL BE AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY  
48 PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

49 (VI) THE MANDATORY CONTINUING COMPETENCY FEE SHALL BE FIFTY DOLLARS,  
50 SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRA-  
51 TION PERIOD, AND SHALL BE PAID IN ADDITION TO THE TRIENNIAL REGISTRATION  
52 FEE REQUIRED BY PARAGRAPH (H) OF THIS SUBDIVISION.

53 (H) FEES: PAY A FEE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR AN INITIAL  
54 LICENSE AND A FEE OF ONE HUNDRED FIFTY-FIVE DOLLARS FOR EACH TRIENNIAL  
55 REGISTRATION PERIOD.

1 2. TO QUALIFY FOR A LICENSE AS A VISION REHABILITATION THERAPIST AN  
2 APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:

3 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

4 (B) EDUCATION/EXPERIENCE: (I) HAVE SATISFACTORILY COMPLETED AN  
5 APPROVED VISION REHABILITATION THERAPIST CURRICULUM IN A BACCALAUREATE  
6 OR MASTERS PROGRAM, OR A CERTIFICATE PROGRAM SATISFACTORY TO THE DEPART-  
7 MENT WHICH IS SUBSTANTIALLY EQUIVALENT TO A BACCALAUREATE DEGREE  
8 PROGRAM, IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND

9 (II) HAVE A MINIMUM OF THREE MONTHS OF SUPERVISED VISION REHABILI-  
10 TATION THERAPIST EXPERIENCE WHICH SUPERVISION AND EXPERIENCE SHALL BE  
11 SATISFACTORY TO THE STATE BOARD FOR VISION REHABILITATION SERVICES AND  
12 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

13 (C) EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN  
14 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS THAT MAY BE BASED ON AN  
15 EXAM UTILIZED BY ANY NATIONALLY RECOGNIZED ACCREDITING OR CERTIFICATION  
16 BODY SUCH AS THE ACADEMY FOR CERTIFICATION OF VISION REHABILITATION AND  
17 EDUCATION PROFESSIONALS (ACVREP), NATIONAL ORIENTATION AND MOBILITY  
18 CERTIFICATE (NOMC) ADMINISTERED BY THE NATIONAL BLINDNESS PROFESSIONAL  
19 CERTIFICATION BOARD (NBPCB) OR AN EQUIVALENT EXAM.

20 (D) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;

21 (E) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-  
22 MENT;

23 (F) REGISTRATION: ALL LICENSED VISION REHABILITATION THERAPISTS SHALL  
24 REGISTER TRIENNIALLY WITH THE DEPARTMENT IN ACCORDANCE WITH THE COMMIS-  
25 SIONER'S REGULATIONS;

26 (G) MANDATORY CONTINUING COMPETENCY: (I) (A) EACH LICENSED VISION  
27 REHABILITATION THERAPIST REQUIRED UNDER THIS ARTICLE TO REGISTER TRIEN-  
28 NIALY WITH THE DEPARTMENT TO PRACTICE IN THE STATE SHALL COMPLY WITH  
29 THE PROVISIONS OF THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS  
30 PRESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EXCEPT AS PROVIDED IN  
31 CLAUSES (B) AND (C) OF THIS PARAGRAPH. VISION REHABILITATION THERAPISTS  
32 WHO DO NOT SATISFY THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS  
33 SHALL NOT BE AUTHORIZED TO PRACTICE UNTIL THEY HAVE MET SUCH REQUIRE-  
34 MENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE, EXCEPT THAT  
35 A VISION REHABILITATION THERAPIST MAY PRACTICE WITHOUT HAVING MET SUCH  
36 REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGISTRATION PURSUANT  
37 TO SUBPARAGRAPH (III) OF THIS PARAGRAPH.

38 (B) VISION REHABILITATION THERAPISTS SHALL BE EXEMPT FROM THE MANDATO-  
39 RY CONTINUING COMPETENCY REQUIREMENT FOR THE TRIENNIAL REGISTRATION  
40 PERIOD DURING WHICH THEY ARE FIRST LICENSED. ADJUSTMENT TO THE MANDATO-  
41 RY CONTINUING COMPETENCY REQUIREMENTS MAY BE GRANTED BY THE DEPARTMENT  
42 FOR REASONS OF HEALTH OF THE LICENSEE WHERE CERTIFIED BY AN APPROPRIATE  
43 HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE ARMED FORCES  
44 OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO THE DEPART-  
45 MENT WHICH MAY PREVENT COMPLIANCE.

46 (C) A LICENSED VISION REHABILITATION THERAPIST NOT ENGAGED IN PRAC-  
47 TICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE MANDATO-  
48 RY CONTINUING COMPETENCY REQUIREMENT UPON THE FILING OF A STATEMENT WITH  
49 THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS TO PRAC-  
50 TICE OF VISION REHABILITATION THERAPY DURING THE TRIENNIAL REGISTRATION  
51 PERIOD SHALL NOTIFY THE DEPARTMENT PRIOR TO REENTERING THE PROFESSION  
52 AND SHALL MEET SUCH MANDATORY CONTINUING COMPETENCY REQUIREMENTS AS  
53 SHALL BE PRESCRIBED BY REGULATIONS OF THE COMMISSIONER.

54 (II) DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-  
55 TRATION AS A VISION REHABILITATION THERAPIST SHALL COMPLETE A MINIMUM OF  
56 TWENTY-FOUR HOURS OF ACCEPTABLE LEARNING ACTIVITIES WHICH CONTRIBUTE TO

1 CONTINUING COMPETENCE, AS SPECIFIED IN SUBPARAGRAPH (IV) OF THIS PARA-  
2 GRAPH, PROVIDED FURTHER THAT AT LEAST SIXTEEN HOURS SHALL BE IN RECOG-  
3 NIZED AREAS OF STUDY PERTINENT TO THE PROFESSIONAL SCOPE OF A LICENSED  
4 VISION REHABILITATION THERAPIST. ANY VISION REHABILITATION THERAPIST  
5 WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE DATE OF THIS  
6 SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE DATE, BUT ON OR  
7 AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, SHALL COMPLETE CONTINUING  
8 COMPETENCY HOURS ON A PRORATED BASIS AT THE RATE OF ONE-HALF HOUR PER  
9 MONTH FOR THE PERIOD BEGINNING JANUARY FIRST, TWO THOUSAND FIFTEEN UP TO  
10 THE FIRST REGISTRATION DATE. THEREAFTER, A LICENSEE WHO HAS NOT SATIS-  
11 FIED THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS SHALL NOT BE  
12 ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY THE DEPARTMENT AND SHALL  
13 NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL REGISTRATION CERTIFICATE IS  
14 ISSUED AS PROVIDED FOR IN SUBPARAGRAPH (III) OF THIS PARAGRAPH. CONTIN-  
15 UING COMPETENCY HOURS TAKEN DURING ONE TRIENNIUM MAY NOT BE TRANSFERRED  
16 TO A SUBSEQUENT TRIENNIUM.

17 (III) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL  
18 REGISTRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING COMPETENCY  
19 REQUIREMENTS ESTABLISHED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, BUT WHO  
20 AGREES TO MAKE UP ANY DEFICIENCIES AND COMPLETE ANY ADDITIONAL LEARNING  
21 ACTIVITIES WHICH THE DEPARTMENT MAY REQUIRE. THE FEE FOR SUCH A CONDI-  
22 TIONAL REGISTRATION SHALL BE THE SAME AS, AND IN ADDITION TO, THE FEE  
23 FOR THE TRIENNIAL REGISTRATION. THE DURATION OF SUCH CONDITIONAL REGIS-  
24 TRATION SHALL BE DETERMINED BY THE DEPARTMENT BUT SHALL NOT EXCEED ONE  
25 YEAR. ANY LICENSEE WHO IS NOTIFIED OF THE DENIAL OF REGISTRATION FOR  
26 FAILURE TO SUBMIT EVIDENCE, SATISFACTORY TO THE DEPARTMENT, OF REQUIRED  
27 CONTINUING COMPETENCY LEARNING ACTIVITIES AND WHO PRACTICES WITHOUT SUCH  
28 REGISTRATION, MAY BE SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO  
29 SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

30 (IV) AS USED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "ACCEPTABLE  
31 LEARNING ACTIVITIES" SHALL MEAN ACTIVITIES WHICH CONTRIBUTE TO THE  
32 PROFESSIONAL PRACTICE OF A VISION REHABILITATION THERAPIST AND WHICH  
33 MEET THE STANDARDS PRESCRIBED IN THE REGULATIONS OF THE COMMISSIONER.  
34 SUCH LEARNING ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLEGI-  
35 ATE LEVEL CREDIT AND NON-CREDIT COURSES, SELF-STUDY ACTIVITIES, INDE-  
36 PENDENT STUDY, FORMAL MENTORING ACTIVITIES, PUBLICATIONS IN PROFESSIONAL  
37 JOURNALS, PROFESSIONAL DEVELOPMENT PROGRAMS AND TECHNICAL SESSIONS; SUCH  
38 LEARNING ACTIVITIES MAY BE OFFERED AND SPONSORED BY NATIONAL, STATE AND  
39 LOCAL PROFESSIONAL ASSOCIATIONS AND OTHER ORGANIZATIONS OR PARTIES  
40 ACCEPTABLE TO THE DEPARTMENT, AND ANY OTHER ORGANIZED EDUCATIONAL AND  
41 TECHNICAL LEARNING ACTIVITIES ACCEPTABLE TO THE DEPARTMENT. RECOGNIZED  
42 AREAS OF STUDY SHALL INCLUDE BUT NOT BE LIMITED TO: KNOWLEDGE AND SKILLS  
43 TRAINING IN MOBILITY, NAVIGATION, INDEPENDENT LIVING, COMMUNICATIONS AND  
44 ORIENTATION, USE OF PRESCRIBED AND, ADAPTIVE OPTICAL DEVICES; UTILIZA-  
45 TION OF SPECIALIZED TECHNIQUES AND EQUIPMENT INTENDED FOR USE BY PERSONS  
46 WHO ARE VISUALLY IMPAIRED; THE MEDICAL ASPECTS OF VISION LOSS AND ITS  
47 FUNCTIONAL IMPACT ON PERSONS WHO ARE VISUALLY IMPAIRED; AND SUCH OTHER  
48 TECHNICAL SUBJECT MATTER AREAS APPROPRIATELY RELATED TO THE PRACTICE OF  
49 VISION REHABILITATION SERVICES AS MAY BE SATISFACTORY TO THE BOARD AND  
50 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS. THE DEPARTMENT MAY,  
51 IN ITS DISCRETION AND AS NEEDED TO CONTRIBUTE TO THE HEALTH AND WELFARE  
52 OF THE PUBLIC, REQUIRE THE COMPLETION OF CONTINUING COMPETENCY LEARNING  
53 ACTIVITIES IN SPECIFIC SUBJECTS TO FULFILL THIS MANDATORY CONTINUING  
54 COMPETENCY REQUIREMENT. LEARNING ACTIVITIES MUST BE TAKEN FROM A SPON-  
55 SOR APPROVED BY THE DEPARTMENT, PURSUANT TO THE REGULATIONS OF THE  
56 COMMISSIONER.

(V) VISION REHABILITATION THERAPISTS SHALL MAINTAIN ADEQUATE DOCUMENTATION OF COMPLETION OF ACCEPTABLE CONTINUING COMPETENCY LEARNING ACTIVITIES AND SHALL PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE DEPARTMENT. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF THE DEPARTMENT SHALL BE AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

(VI) THE MANDATORY CONTINUING COMPETENCY FEE SHALL BE FIFTY DOLLARS, SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRATION PERIOD, AND SHALL BE PAID IN ADDITION TO THE TRIENNIAL REGISTRATION FEE REQUIRED BY PARAGRAPH (H) OF THIS SUBDIVISION.

(H) FEES: PAY A FEE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR AN INITIAL LICENSE AND A FEE OF ONE HUNDRED FIFTY-FIVE DOLLARS FOR EACH TRIENNIAL REGISTRATION PERIOD.

S 8805. LIMITED PERMITS. PERMITS LIMITED AS TO ELIGIBILITY, PRACTICE AND DURATION SHALL BE ISSUED BY THE DEPARTMENT TO ELIGIBLE APPLICANTS AS FOLLOWS:

1. ELIGIBILITY. A PERSON WHO FULFILLS ALL REQUIREMENTS FOR AN ORIENTATION AND MOBILITY SPECIALIST OR VISION REHABILITATION THERAPIST, EXCEPT THAT RELATING TO THE EXAMINATION, SHALL BE ELIGIBLE FOR A LIMITED PERMIT.

2. LIMIT OF PRACTICE. ALL PRACTICE UNDER A LIMITED PERMIT SHALL BE UNDER THE DIRECT SUPERVISION OF A LICENSED ORIENTATION AND MOBILITY SPECIALIST OR A VISION REHABILITATION THERAPIST.

3. DURATION. A LIMITED PERMIT SHALL EXPIRE ONE YEAR FROM THE DATE OF ISSUANCE OR UPON NOTICE TO THE PERMITTEE BY THE DEPARTMENT THAT THE APPLICATION FOR LICENSURE HAS BEEN DENIED, OR UPON NOTICE TO THE PERMITTEE OF FAILURE ON THE PROFESSIONAL LICENSING EXAMINATION, WHICHEVER FIRST OCCURS.

4. FEES. THE FEE FOR EACH LIMITED PERMIT SHALL BE SEVENTY DOLLARS.

S 8806. EXEMPT PERSONS. THIS ARTICLE SHALL NOT BE CONSTRUED TO AFFECT OR PREVENT THE FOLLOWING, PROVIDED THAT NO TITLE, SIGN, CARD OR DEVICE SHALL BE USED IN SUCH MANNER AS TO TEND TO CONVEY THE IMPRESSION THAT THE PERSON RENDERING SUCH SERVICE IS A LICENSED ORIENTATION AND MOBILITY SPECIALIST OR VISION REHABILITATION THERAPIST:

1. THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY AS AN INTEGRAL PART OF A PROGRAM OF STUDY BY STUDENTS ENROLLED IN APPROVED EDUCATIONAL OR TRAINING PROGRAMS IN (A) ORIENTATION AND MOBILITY TRAINING OR (B) VISION REHABILITATION THERAPY.

2. THE PERFORMANCE OF ANY OF THE DUTIES, TASKS AND RESPONSIBILITIES INCLUDED IN THE DEFINITION OF ORIENTATION AND MOBILITY TRAINING BY ANY OTHER DULY LICENSED, CERTIFIED OR REGISTERED HEALTH CARE PROVIDER, PROVIDED THAT SUCH DUTIES, TASKS AND RESPONSIBILITIES ARE WITHIN THE SCOPE OF HIS OR HER PRACTICE AS DEFINED IN THE ARTICLE PURSUANT TO WHICH SUCH PERSON IS LICENSED, CERTIFIED OR REGISTERED; PROVIDED, HOWEVER, THAT SUCH PRACTITIONERS MAY NOT HOLD THEMSELVES OUT UNDER THE TITLE "LICENSED ORIENTATION AND MOBILITY SPECIALIST" OR AS PERFORMING LICENSED ORIENTATION AND MOBILITY TRAINING.

3. THE PERFORMANCE OF ANY OF THE DUTIES, TASKS AND RESPONSIBILITIES INCLUDED IN THE DEFINITION OF VISION REHABILITATION THERAPY BY ANY OTHER DULY LICENSED, CERTIFIED OR REGISTERED HEALTH CARE PROVIDER, PROVIDED THAT SUCH DUTIES, TASKS AND RESPONSIBILITIES ARE WITHIN THE SCOPE OF HIS OR HER PRACTICE AS DEFINED IN THE ARTICLE OR COMMISSIONER'S REGULATION PURSUANT TO WHICH SUCH PERSON IS LICENSED, CERTIFIED OR REGISTERED; PROVIDED, HOWEVER, THAT SUCH PRACTITIONERS MAY NOT HOLD THEMSELVES OUT UNDER THE TITLE "LICENSED VISION REHABILITATION THERAPIST" OR AS PERFORMING LICENSED VISION REHABILITATION THERAPY. WITH THE EXCEPTION



1 THAT OCCUPATIONAL THERAPY MAY HOLD THEMSELVES OUT AS PROVIDING VISION  
2 REHABILITATION THERAPY OR VISION REHABILITATION SERVICES.

3 4. THE PRACTICE, CONDUCT, ACTIVITIES, SERVICES OR USE OF ANY TITLE BY  
4 ANY PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE MEDICINE WITHIN  
5 THE STATE PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE OF THIS TITLE OR BY  
6 ANY PERSON REGISTERED TO PERFORM SERVICES AS A PHYSICIAN ASSISTANT  
7 PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE-B OF THIS TITLE.

8 5. THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION REHA-  
9 BILITATION THERAPY BY ANY LEGALLY QUALIFIED PRACTITIONER OF ORIENTATION  
10 AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY OF ANY OTHER  
11 STATE OR TERRITORY WHO IS SERVING IN THE ARMED FORCES OR THE PUBLIC  
12 HEALTH SERVICE OF THE UNITED STATES WHILE ENGAGED IN THE PERFORMANCE OF  
13 HIS OR HER DUTIES.

14 6. THE INSTRUCTION IN THE USE OF A DOG GUIDE.

15 S 8807. SPECIAL PROVISIONS. A PERSON SHALL BE LICENSED WITHOUT EXAM-  
16 INATION PROVIDED THAT, WITHIN THREE YEARS OF THE EFFECTIVE DATE OF THIS  
17 ARTICLE, SUCH PERSON:

18 1. FILES AN APPLICATION AND PAYS THE APPROPRIATE FEES TO THE DEPART-  
19 MENT;

20 2. (A) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR EQUIVALENT AS DETER-  
21 MINED BY THE DEPARTMENT, WITH A SPECIALIZATION IN ORIENTATION AND MOBIL-  
22 ITY TRAINING; OR (B) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR EQUIVALENT  
23 AS DETERMINED BY THE DEPARTMENT, WITH A SPECIALIZATION IN VISION REHA-  
24 BILITATION THERAPY; OR (C) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR  
25 EQUIVALENT AS DETERMINED BY THE DEPARTMENT IN A REHABILITATION FIELD OR  
26 IN SPECIAL EDUCATION AND (I) HAS COMPLETED ALL ADDITIONALLY REQUIRED  
27 ELEMENTS OF THE ORIENTATION AND MOBILITY TRAINING OR VISION REHABILI-  
28 TATION THERAPY CURRICULUM SATISFACTORY TO THE BOARD AND IN ACCORDANCE  
29 WITH THE COMMISSIONER'S REGULATIONS; OR (II) HAS BEEN CERTIFIED IN  
30 ORIENTATION AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY BY A  
31 NATIONALLY RECOGNIZED ACCREDITING BODY ACCEPTABLE TO THE DEPARTMENT; AND

32 3. SUBMITS EVIDENCE OF A MINIMUM OF THREE YEARS EXPERIENCE OR EMPLOY-  
33 MENT IN THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION  
34 REHABILITATION THERAPY SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH  
35 THE COMMISSIONER'S REGULATIONS, WHETHER SUCH EXPERIENCE OR EMPLOYMENT  
36 OCCURS WITHIN OR WITHOUT THIS STATE.

37 S 8808. SEPARABILITY. IF ANY SECTION OF THIS ARTICLE, OR PART THEREOF,  
38 SHALL BE ADJUDGED BY ANY COURT OF COMPETENT JURISDICTION TO BE INVALID,  
39 SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR OR INVALIDATE THE REMAINDER OF  
40 ANY OTHER SECTION OR PART THEREOF.

41 S 2. This act shall take effect July 1, 2015. The commissioner of  
42 education and the board of regents are authorized to promulgate such  
43 rules and regulations and take any other measures as may be necessary  
44 for the timely implementation of this act on or before its effective  
45 date, including but not limited to the appointment of the state board  
46 for vision rehabilitation services, the acceptance and processing of  
47 applications for licensure, and the issuance of licenses.