

Governor's Office of Management and Budget

Alexis Sturm

Director



Regulatory Sunset Act Study on

Illinois Optometric Practice Act of 1987

May 8, 2026

**To the Honorable JB Pritzker
Governor of Illinois**

Governor Pritzker:

As required by Section 5 of the Regulatory Sunset Act (5 ILCS 80/1 et seq.), GOMB facilitated a study with the Illinois Department of Financial and Professional Regulation's (IDFPR), the agency responsible for oversight of the Illinois Optometric Practice Act of 1987 (225 ILCS 80) (the Act), which is scheduled to be repealed on January 1, 2027. This study provides justification for the recommendation to continue this Act.

GOMB's examination of this Act was conducted considering the factors set out in Sections 6 and 7 of the Regulatory Sunset Act. The following report outlines the work of GOMB's study and details the criteria and data utilized to arrive at the above recommendation.

Respectfully,

Alexis Sturm
Director
Governor's Office of Management and Budget

GOMB Regulatory Sunset Act Report: Illinois Optometrists Practice Act

IDFPR is responsible for regulation of the Illinois Optometrists Practice Act (225 ILCS 80). The practice of optometry is defined as the employment of any and all means for the examination, diagnosis, and treatment of the human visual system, the human eye, and its appendages without the use of surgery, including, but not limited to: the appropriate use of ocular pharmaceutical agents; refraction and other determinants of visual function; prescribing corrective lenses or prisms; prescribing, dispensing, or management of contact lenses; vision therapy; visual rehabilitation; or any other procedures taught in schools and colleges of optometry approved by the Department.

Licensed Optometrists (profession code 046) are subject to the Illinois Optometric Practice Act of 1987 (the Act). Those licensees may also have the Licensed Optometrist Ancillary Office credential (profession code 047); however, that credential is currently inoperable.

1. License Count and Fee Structure (5 ILCS 80/6(1) and (3))

As of July 31, 2025, IDFPR states that there are 2,279 active licenses under this act in Illinois. See the following table for the number of optometry licenses issued by IDFPR in the fiscal years indicated:

License, Credential, Certification Type	FY21	FY22	FY23	FY24	FY25
046 Licensed Optometrist	79	105	93	124	121
346 Optometrist Controlled Substance Registrant	44	103	56	108	67
138 Licensed Optometry CE Sponsor	2	4	0	0	0

Optometrists have the following licensure fee structure:

License, Credential, or Certification Type	Fee Amount	Online Payment Option
Applicant Fee:		
046 Optometrist	\$500.00	<input type="checkbox"/>
138 Optometry CE Sponsor	\$500.00	<input checked="" type="checkbox"/>
346 Optometrist Controlled Substance	\$5.00	<input type="checkbox"/>
Renewal Fee:		
046 Optometrist	\$400.00	<input checked="" type="checkbox"/>
138 Optometry CE Sponsor	\$500.00	<input checked="" type="checkbox"/>
346 Optometrist Controlled Substance	\$15.00	<input checked="" type="checkbox"/>
Duplicate Fee	N/A	<input type="checkbox"/>
Examination Fee	N/A	<input type="checkbox"/>
Certification Fee	\$20	<input checked="" type="checkbox"/>
Restoration of License Fee	\$50 plus payment of all lapsed	<input type="checkbox"/>

	renewal fees	
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2. Obtaining Certification as in Illinois (5 ILCS 80/6(11))

Applicants for licensure are required to submit an application to IDFPR for these regulated professions.

IDFPR provides a guide that includes qualifications for each profession here:

<https://idfpr.illinois.gov/content/dam/soi/en/web/idfpr/renewals/apply/forms/op.pdf>

Pursuant to 68 Ill. Admin. Code 1320.40, applicants are also required to pass the examination administered by the National Board of Examiners in Optometry (“NBEO”). Pursuant to §12 of the Act and 68 Ill. Admin. Code 1320.40, applicants are also required to pass the examination administered by the NBEO, whose website can be found here: <https://nbeo.optometry.org/>

3. Equity Concerns (5 ILCS 80/6(10), (12) and (13))

IDFPR states that equity issues may have an impact on individuals seeking to become licensed in the State of Illinois. These issues include financial challenges such as the cost to obtain licensure and the failure to complete licensure due to access to training, education, and geographic location of training and testing sites. Refer to links in Section 2 for additional details regarding required examinations.

Persons who speak English as a second language may also have difficulty with the licensure process. IDFPR asserts that it has done its best to minimize any barriers to licensure by requiring universally accepted qualification requirements and imposing fair standards of professionalism.

4. Agency recommendations to change the statute (5 ILCS 80/6(4) and (9))

IDFPR does not have amendatory recommendations for this Act. The Department is continuously monitoring the impact of the current statutory language on practitioners, while considering changes that can be made to better benefit the public.

5. Agency efforts to comply with enabling laws (5 ILCS 80/6(3), (4) and (5))

At the time of this study, GOMB is not aware of any compliance issues by IDFPR related to the provisions of the Act.

The Optometric Licensing and Disciplinary Board (“Board”) serves in an advisory capacity and recommends discipline as well as changes to the Act. The Board generally meets one to two times a year through public meetings. Board members provide insight to the Department about the regulated professions, including recommending legislative or Administrative Rule (68 Ill. Adm. Code 1320) changes, participate in informal conferences with licensees with pending cases, and make recommendations for final disciplinary action after reviewing Administrative Law Judge reports from cases that go to a formal hearing.

6. Recent bills introduced by the General Assembly (5 ILCS 80/6(9))

According to IDFPR, there have been no statutory changes recently introduced by the General Assembly. The Act was last amended by Public Act 102-153, effective. 1-1-22, which modified §9 – Definitions and

§15.4 – Telehealth. Public Act 102-788, effective 5-13-22, amended §31 – Administration of Vaccines. Nearly twenty years ago, the Act was amended extensively with the enactment of Public Act 94-787, effective 5-19-06.

7. Stakeholder Feedback and Protocols for Licensure (5 ILCS 80/6(5), (6), (7), (8), (10) and 5 ILCS 80/7)

Public Board meetings are held to discuss the status of this Act and the professions regulated by the Act. The Board receives and responds to inquiries and feedback from the public submitted by email and through IDFPR's website. IDFPR also proposes Administrative Rules and reaches out to associations in the industry for their feedback.

Before publishing the rules with JCAR and after approval from the Governor's Office, IDFPR solicits feedback from Board members and associations in the industry. Following the Administrative Rules protocols, the agency participates in the public comment process.

8. Public Outreach (5 ILCS 80/6(5), (6), (7) and (8) and 5 ILCS 80/7)

IDFPR provides multiple avenues for members of the public to contact the Department with comments or concerns about the programs it oversees or the Department's rules governing its programs. IDFPR conducts public outreach efforts through social media and other external-facing means. IDFPR takes public concerns into account in drafting Administrative Rules and revisions to the Act.

9. Industry Standards (5 ILCS 80/6(11) and (12))

IDFPR states that the Illinois personal qualifications required for these professions are in line with industry standards.

The American Optometric Association's Clinical Practice Guidelines offer evidence-based recommendations for the diagnosis, treatment, and management of a wide range of eye and vision conditions. These guidelines cover topics such as glaucoma, diabetes-related eye care, pediatric and adult eye examinations, myopia management, amblyopia, cataracts, macular degeneration, strabismus, retinal detachment, low vision rehabilitation, and learning-related vision problems. Each guideline is developed or revised to align with standards set by the National Academies of Sciences, Engineering, and Medicine, ensuring that optometrists have access to the most current and scientifically validated practices for delivering high-quality patient care.

The American Optometric Association provides clinical practice guidelines that can be found here: <https://www.aoa.org/practice/clinical-guidelines/clinical-practice-guidelines>

10. Public Complaint Resolution (5 ILCS 80/6(3), (7), (8) and (10) and 5 ILCS 80/7)

Unprofessional conduct by this profession could harm the public. This is avoided by licensed optometrists practicing within the regulatory framework of the Act. IDFPR also protects the public by discouraging individuals who do not have a license to practice optometry from maintaining an ownership or management interest in optometric practices.

IDFPR has received 116 complaints from the public regarding regulated Optometrists over the past five

fiscal years. The Department has received no complaints from licensed Optometrists.

Depending on how the complaint is resolved, the IDFPR Director of the Division of Professional Regulation generally issues a Director's Order. Default matters can take six to seven months to reach resolution. When the Respondent does appear and participate in the process, it can take longer, up to a year or more, depending on the allegations involved, if the matter is resolved by agreement between the Department and Respondent in an informal conference, if the Respondent requests continuances, or if it goes to a formal hearing with findings made by the Administrative Law Judge, with a Director's Order to follow. Similar to litigation, the time from complaint to resolution will vary case-by-case.

The table below outlines the number of complaints received by the Department in the last five years.

License, Credentials, or Certifications Type	FY21	FY22	FY23	FY24	FY25
046 Optometrist	23	24	20	24	25
138 Optometry CE Sponsor	0	0	0	0	0
346 Optometrist Controlled Substance	0	0	0	0	0

11. Disciplinary Action (5 ILCS 80/6(14))

IDFPR's authority to enforce the Act ensures that allegations of professional incompetence, gross negligence, malpractice, and unprofessional conduct are investigated and that substantiated allegations receive appropriate disciplinary action by IDFPR. The Act sets forth the range of disciplinary actions and the reasons they may be taken.

Section 24 of the Act states in pertinent part: "The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including fines not to exceed \$10,000 for each violation, with regard to any license for any one or combination of the causes set forth in subsection (a-3) of this Section. All fines collected under this Section shall be deposited in the Optometric Licensing and Disciplinary Board Fund. Any fine imposed shall be payable within 60 days after the effective date of the order imposing the fine."

12. Conclusion

The Act governs the licensure of Optometrists in the State of Illinois. The absence of licensing criteria for Optometrists would pose a significant and direct harm to the health, safety, and welfare of the public and specifically the State's healthcare system. The lack of regulation would eliminate professional standards thereby diminishing the quality of care the public receives from Optometrists, a significant part of Illinois' healthcare system.

The quality of health care in this State is improved by ensuring that individuals have the education and experience to qualify to be licensed optometrists performing professional ophthalmic health care services. The regulation protects the public by ensuring that each individual in the profession has met the qualifications of licensed optometrists by completing the requisite education, examinations, and training to practice their profession with reasonable judgment, skill, and safety. The public is further protected by the Division's enforcement of the Act to ensure that allegations of professional incompetence, gross negligence, malpractice, and unprofessional conduct are investigated and that

substantiated allegations are prosecuted by the Division for appropriate discipline.

IDFPR's authority pursuant to the Act protects the public's health, safety, and welfare by allowing IDFPR to review the qualifications of optometrists in Illinois to ensure that these individuals have completed the requisite education, examinations, and training to practice their profession with reasonable judgment, skill, and safety. The public is further protected by the IDFPR's authority to enforce the Act to ensure that allegations of professional incompetence, gross negligence, malpractice, and unprofessional conduct are investigated and that substantiated allegations receive appropriate discipline up to and including prosecution by IDFPR.

Based on the factors in 5 ILCS 80/6 and the additional criteria in 5 ILCS 80/7, GOMB finds that the Act should be recommended for continuation. The record should expressly state that the public protection benefits of regulation outweigh the regulatory costs and that no less restrictive alternative would adequately address the significant and discernible harms identified in this report.

The Act should be continued to promote and enhance the safety and welfare of the public, without burdening licensees or commerce.