

STATE OF NEVADA

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**DEPARTMENT OF BUSINESS AND INDUSTRY
OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCILS STANDARDS
NEVADA STATE BOARD OF OPTOMETRY**

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via email only

Ms. LeMay:

The Nevada State Board of Optometry (NSBO) has been made aware of 201 KAR 5:021E. On behalf of the Nevada State Board of Optometry as its Executive Director, I am writing to advise that any Kentucky licensee who does not pass National Board and Examiners in Optometry (NBEO) Part III, regardless if he or she passed the American Board of Optometry (ABO) board certification exam, will not be eligible for licensure in Nevada.

As you may recall about 2025's KAR 5:010, this kind of issue was of such significance to avoid this false equivalence between types of national testing that in the best interests of the public the Nevada State Board of Optometry proposed and sponsored a bill to add an additional section to its license by endorsement statute (NRS 636.206). Eligibility for a Nevada license can only occur if the applicant/non-Nevada optometrist "[h]as passed each part of the comprehensive national optometry examination administered by the National Board of Examiners in Optometry or its successor as a prerequisite to the issuance [of a Nevada license]." This proposal passed 42-0 in the Assembly and 21-0 in the Senate, and became Nevada law in 10/2025. The same principles stated in NSBO's 5/2025 letter regarding KAR 5:010 hold true here as to 201 KAR 5:021E.

The NBEO is a widely respected organization that is recognized across all states and territories in the United States for optometric licensure. Use of the NBEO Exams ensures uniformity and consistency in the qualification of optometrists to enter practice and allows for license mobility across the country. The NBEO Part III Exam and the ABO are simply not equivalent, and one should not be substituted for the other to assess the competency of optometric students and/or requisite eligibility for a State or Commonwealth license to practice optometry.

Please kindly advise the above to any decision-maker, or any person who inquires about any potential national impact of KAR 5:021E.

Sincerely,

/s/ Adam Schneider
Adam Schneider, Esq.
Executive Director