

BOARD OF EXAMINERS IN OPTOMETRY

| | Actual FY 2020 | Agency Est. FY 2021 | Gov. Rec. FY 2021 | Agency Req. FY 2022 | Gov. Rec. FY 2022 | Agency Req. FY 2023 | Gov. Rec. FY 2023 |
|--------------------------------|-------------------|------------------------|----------------------|------------------------|----------------------|------------------------|----------------------|
| Operating Expenditures: | | | | | | | |
| State General Fund | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Other Funds | 144,808 | 166,597 | 166,597 | 172,099 | 172,099 | 174,618 | 174,618 |
| <i>Subtotal</i> | <i>\$ 144,808</i> | <i>\$ 166,597</i> | <i>\$ 166,597</i> | <i>\$ 172,099</i> | <i>\$ 172,099</i> | <i>\$ 174,618</i> | <i>\$ 174,618</i> |
| Capital Improvements: | | | | | | | |
| State General Fund | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Other Funds | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Subtotal</i> | <i>\$ 0</i> | <i>\$ 0</i> | <i>\$ 0</i> | <i>\$ 0</i> | <i>\$ 0</i> | <i>\$ 0</i> | <i>\$ 0</i> |
| TOTAL | \$ 144,808 | \$ 166,597 | \$ 166,597 | \$ 172,099 | \$ 172,099 | \$ 174,618 | \$ 174,618 |

Percentage Change:

| | | | | | | | |
|------------------------|--------|------|------|------|------|------|------|
| Operating Expenditures | | | | | | | |
| State General Fund | -- % | -- % | -- % | -- % | -- % | -- % | -- % |
| All Funds | (10.8) | 15.0 | 15.0 | 3.3 | 3.3 | 1.5 | 1.5 |
| FTE Positions | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

AGENCY OVERVIEW

The Kansas Board of Examiners in Optometry was created in 1909 to administer and enforce the provisions of the Optometry Act so the highest quality of eye care is provided to

the citizens of Kansas. The Board is responsible for evaluating the qualifications of new applicants for the practice of optometry through examinations and review of qualifications.

MAJOR ISSUES FROM PRIOR YEARS

The **2010 Legislature** passed SB 489, which amended current law concerning the dispensing of contact lenses to Kansas residents by a person or entity not licensed to practice optometry, medicine, or surgery in the state. The bill allowed the mailing or delivery of contact lenses using a commercial courier or overnight or other delivery services.

The **2012 Legislature** passed HB 2525, which updated Kansas optometry law to reflect the current, single licensure level for optometrists as required by the Kansas State Board of Examiners in Optometry by eliminating language referring to three different levels of licensure, as well as clarifying the minor surgical procedures Kansas optometrists are allowed to perform. The bill also created the Optometry Litigation Fund, capped at \$400,000, which is used to pay all costs and fees associated with litigation expenditures for the Board. Additionally, the bill requires all applicants for licensure to submit fingerprints to the Board and requires all new optometry graduates to have 24 hours of continuing education during their first year.

The **2014 Legislature** granted the Board authority to transfer \$200,000 from the Optometry Fee Fund to the Optometry Litigation Fund in fiscal year (FY) 2014 and \$75,000 for FY 2015 in response to higher-than-expected litigation costs for the agency. Beginning for FY 2016, the annual transfer limit is \$50,000.

The **2014 Legislature** also passed SB 285, the Vision Care Services Act, which bars clauses in service contracts between insurers and optometrists that set fixed prices for services not included as covered services in the contract.

The **2015 Legislature** added 0.2 FTE positions to increase the agency's executive officer from a 0.8 FTE position to a 1.0 FTE position for FY 2016.

The **2016 Legislature** added \$10,000 for public service announcements related to the dangers of using cosmetic contact lenses without a prescription in FY 2016 and for FY 2017. The Legislature also added \$5,000 for increased administrative fees from Kansas.gov for maintenance of the agency's online licensing program in FY 2016 and for FY 2017.

In addition, the **2016 Legislature** transferred \$100,000 from the Optometry Fee Fund and \$50,000 from the Optometry Litigation Fund to the State General Fund (SGF) for the Governor's July 30, 2015, allotment in FY 2016.

The **2017 Legislature** approved \$11,250 for FY 2018 and \$11,625 for FY 2019, all from special revenue funds, for subscription fees to use the Optometric Education Tracker Database system.

The **2017 Legislature** added language to transfer up to \$6,500 for FY 2018 and up to \$6,500 for FY 2019, all from the Optometry Fee Fund, to the Pharmacy Fee Fund in the Board of Pharmacy for the operation and maintenance of the Kansas Prescription Drug Monitoring Program (also known as K-TRACS).

The **2018 Legislature** approved transfers into the Pharmacy Fee Fund from the agencies that regulate a profession with prescribing authority: the Board of Healing Arts, the Board of Nursing, the Dental Board, and the Board of Examiners in Optometry for FY 2018 and FY 2019.

The **2019 Legislature** approved transfers of \$16,500 into the Pharmacy Fee Fund from the Optometry Fee Fund for FY 2020 and FY 2021.

The **2019 Legislature** added \$2,662, all from the Optometry Fee Fund, for a 2.5 percent salary adjustment for FY 2020.

The **2020 Legislature** deleted the transfer of \$16,500 from the Optometry Fee Fund to the Board of Pharmacy for the Kansas Prescription Drug Monitoring Program (K-TRACS) for FY 2021.

BUDGET SUMMARY AND KEY POINTS

FY 2021 Agency Estimate

The **agency requests** an FY 2021 revised estimate of \$166,597, all from the Optometry Fee Fund, and 1.0 FTE

position. This is the same as the amount approved by the 2020 Legislature.

FY 2021 Governor Recommendation

The **Governor** concurs with the agency's FY 2021 revised estimate.

FY 2022 Agency Request

The **agency** requests \$172,099, all from the Optometry Fee Fund, and 1.0 FTE position, for FY 2022. This is an increase of \$5,502, or 3.3 percent, above the agency's revised FY 2021 estimate. The increase is due to increased expenditures on

OITS fees, computer use, Internet service, employer contributions to group health insurance, and public employee retirement.

FY 2022 Governor Recommendation

The **Governor** concurs with the agency's FY 2022 request.

FY 2023 Agency Request

The **agency** requests \$174,618, all from the Optometry Fee Fund, and 1.0 FTE position, for FY 2023. This is an increase of \$2,519, or 1.5 percent, above the FY 2022 request.

The increase is due to an increased expenditures on OITS fees, computer use, Internet service, employer contributions to group health insurance, and public employee retirement.

FY 2023 Governor Recommendation

The **Governor** concurs with the agency's FY 2023 request.

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PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness. Measures to evaluate agency-wide performance are presented below. Additional measures to evaluate specific programs appear in the relevant program sections.

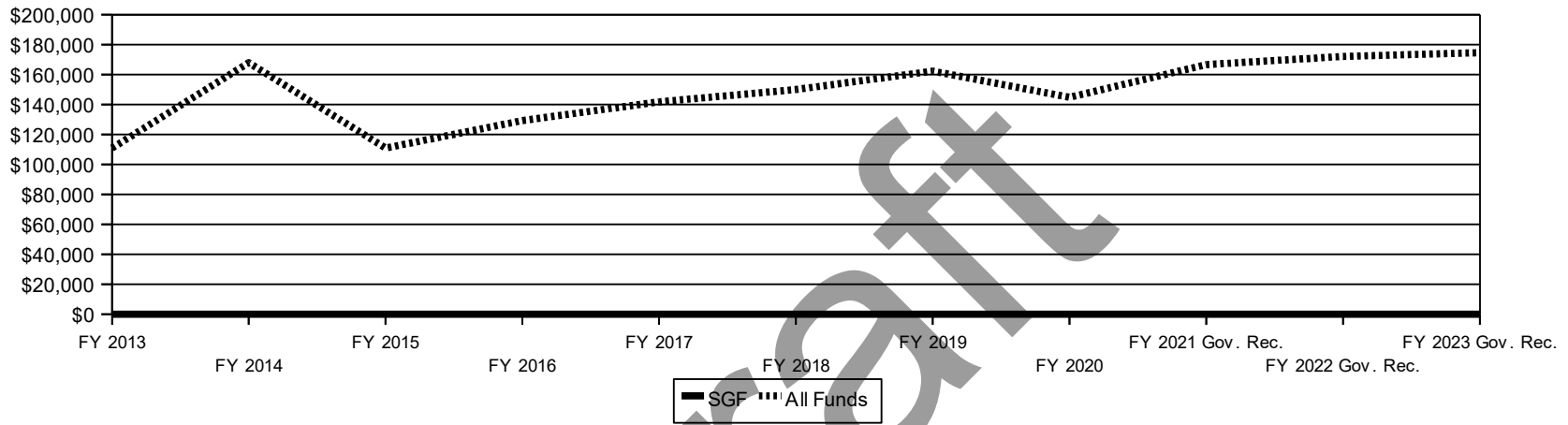
| PERFORMANCE MEASURES | | | | | | |
|--------------------------------------------------------------------------------------------------|-------------------|-------------------|----------------------|-------------------|----------------------|----------------------|
| Measure | Actual FY 2018 | Actual FY 2019 | Gov. Rec. FY 2020 | Actual FY 2020 | Gov. Rec. FY 2021 | Gov. Rec. FY 2022 |
| Number of Consumer Complaints | 49 | 9 | 10 | 14 | 10 | 10 |
| Average Time to Closure on Consumer Complaints (Days) | 11 | 4 | 16 | 20 | 90 | 90 |
| Number of License Renewals | 328 | 378 | 350 | 330 | 400 | 350 |
| Response Time to Initial Consumer Complaint (Days)* | 1 | 1 | 1 | 1 | 1 | 1 |
| Response Time to Initial Licensee Complaint (Days)* | N/A | 1 | 1 | N/A | 1 | 1 |
| Response Time to Initial Report of Cosmetic Contact Lens Sales without a Prescription (Days)* | N/A | 7 | 7 | 7 | 7 | 7 |
| Percent of License Renewals in One Day* | 65 % | 69 % | 75 % | 88 % | 75 % | 75 % |
| Agency Expenditures | | | | | | |
| All Funds (Dollars in Thousands) | \$ 150.0 | \$ 162.3 | \$ 166.0 | \$ 144.8 | \$ 165.6 | \$ 172.1 |
| FTE Positions | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |

* The Governor's Office does not utilize this measure for evaluation purposes.

Staff Note: The 49 consumer complaints in FY 2018 is considered an outlier because 47 of the complaints were all made against one practitioner.

BUDGET TRENDS

OPERATING EXPENDITURES FY 2013 – FY 2023



| Fiscal Year | SGF | Percent Change | All Funds | Percent Change | FTE |
|--------------------|------|----------------|------------|----------------|-----|
| 2013 | \$ 0 | -- % | \$ 110,872 | 0.3 % | 0.8 |
| 2014 | 0 | -- | 167,887 | 51.4 | 0.8 |
| 2015 | 0 | -- | 110,916 | (33.9) | 0.8 |
| 2016 | 0 | -- | 129,238 | 16.5 | 1.0 |
| 2017 | 0 | -- | 141,764 | 9.7 | 1.0 |
| 2018 | 0 | -- | 149,996 | 5.8 | 1.0 |
| 2019 | 0 | -- | 162,279 | 8.2 | 1.0 |
| 2020 | 0 | -- | 144,808 | (10.8) | 1.0 |
| 2021 Gov. Rec. | 0 | -- | 166,597 | 15.0 | 1.0 |
| 2022 Gov. Rec. | 0 | -- | 172,099 | 3.3 | 1.0 |
| 2023 Gov. Rec. | 0 | -- | 174,618 | 1.5 | 1.0 |
| Eleven-Year Change | \$ 0 | -- % | \$ 63,746 | 57.5 % | 0.2 |

Summary of Operating Budget FY 2020 – FY 2022

| | Actual 2020 | Agency Estimate | | | | Governor's Recommendation | | | |
|----------------------------------------|-------------------|---------------------|--------------------|--------------------------------|---------------------------------|---------------------------|-------------------|--------------------------------|---------------------------------|
| | | Estimate FY 2021 | Request FY 2022 | Dollar Change from FY 21 | Percent Change from FY 21 | Rec. FY 2021 | Rec. FY 2022 | Dollar Change from FY 21 | Percent Change from FY 21 |
| By Program: | | | | | | | | | |
| Administration | \$ 144,808 | \$ 166,597 | \$ 172,099 | \$ 5,502 | 3.3 % | \$ 166,597 | \$ 172,099 | \$ 5,502 | 3.3 % |
| By Major Object of Expenditure: | | | | | | | | | |
| Salaries and Wages | \$ 72,636 | \$ 73,990 | \$ 74,704 | \$ 714 | 1.0 % | \$ 73,990 | \$ 74,704 | \$ 714 | 1.0 % |
| Contractual Services | 71,669 | 90,097 | 94,885 | 4,788 | 5.3 | 90,097 | 94,885 | 4,788 | 5.3 |
| Commodities | 267 | 2,510 | 2,510 | 0 | 0.0 | 2,510 | 2,510 | 0 | 0.0 |
| Capital Outlay | 236 | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| Debt Service | 0 | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| <i>Subtotal - Operations</i> | <i>\$ 144,808</i> | <i>\$ 166,597</i> | <i>\$ 172,099</i> | <i>\$ 5,502</i> | <i>3.3 %</i> | <i>\$ 166,597</i> | <i>\$ 172,099</i> | <i>\$ 5,502</i> | <i>3.3 %</i> |
| Aid to Local Units | 0 | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| Other Assistance | 0 | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| TOTAL | \$ 144,808 | \$ 166,597 | \$ 172,099 | \$ 5,502 | 3.3 % | \$ 166,597 | \$ 172,099 | \$ 5,502 | 3.3 % |
| Financing: | | | | | | | | | |
| State General Fund | \$ 0 | \$ 0 | \$ 0 | \$ 0 | -- % | \$ 0 | \$ 0 | \$ 0 | -- % |
| Criminal History and Fingerprinting | 1,410 | 2,500 | 2,500 | 0 | 0.0 | 2,500 | 2,500 | 0 | 0.0 |
| Optometry Fee Fund | 143,398 | 164,097 | 169,599 | 5,502 | 3.4 | 164,097 | 169,599 | 5,502 | 3.4 |
| All Other Funds | 0 | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| TOTAL | \$ 144,808 | \$ 166,597 | \$ 172,099 | \$ 5,502 | 3.3 % | \$ 166,597 | \$ 172,099 | \$ 5,502 | 3.3 % |

Summary of Operating Budget FY 2022 – FY 2023

| | Agency Estimate | | | | Governor's Recommendation | | | |
|----------------------------------------|--------------------|--------------------|--------------------------------|---------------------------------|---------------------------|-------------------|--------------------------------|---------------------------------|
| | Request FY 2022 | Request FY 2023 | Dollar Change from FY 22 | Percent Change from FY 22 | Rec. FY 2022 | Rec. FY 2023 | Dollar Change from FY 22 | Percent Change from FY 22 |
| By Program: | | | | | | | | |
| Administration | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % |
| By Major Object of Expenditure: | | | | | | | | |
| Salaries and Wages | \$ 74,704 | \$ 76,407 | \$ 1,703 | 2.3 % | \$ 74,704 | \$ 76,407 | \$ 1,703 | 2.3 % |
| Contractual Services | 94,885 | 95,701 | 816 | 0.9 | 94,885 | 95,701 | 816 | 0.9 |
| Commodities | 2,510 | 2,510 | 0 | 0.0 | 2,510 | 2,510 | 0 | 0.0 |
| Capital Outlay | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| Debt Service | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| <i>Subtotal - Operations</i> | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % |
| Aid to Local Units | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| Other Assistance | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| TOTAL | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % |
| Financing: | | | | | | | | |
| State General Fund | \$ 0 | \$ 0 | \$ 0 | -- % | \$ 0 | \$ 0 | \$ 0 | 0.0 % |
| Criminal History and Fingerprinting | 2,500 | 2,500 | 0 | 0.0 | 2,500 | 2,500 | 0 | 0.0 |
| Optometry Fee Fund | 169,599 | 172,118 | 2,519 | 1.5 | 169,599 | 172,118 | 2,519 | 1.5 |
| All Other Funds | 0 | 0 | 0 | -- | 0 | 0 | 0 | -- |
| TOTAL | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % | \$ 172,099 | \$ 174,618 | \$ 2,519 | 1.5 % |

BUDGET OVERVIEW

A. FY 2021 – Current Year

Adjustments to Approved State General Fund Budget

The agency's revised estimate does not include any State General Fund (SGF) expenditures.

| CHANGE FROM APPROVED BUDGET | | | | | |
|-----------------------------|------------------------------------|-------------------------------|-----------------------------------|-----------------------------|-------------------------------------|
| | Legislative Approved FY 2021 | Agency Estimate FY 2021 | Agency Change from Approved | Governor Rec. FY 2021 | Governor Change from Approved |
| State General Fund | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| All Other Funds | 166,597 | 166,597 | 0 | 166,597 | 0 |
| TOTAL | \$ 166,597 | \$ 166,597 | \$ 0 | \$ 166,597 | \$ 0 |
| FTE Positions | 0.0 | 1.0 | 1.0 | 1.0 | 1.0 |

The **agency** requests an FY 2021 revised estimate of \$166,597, all from the Optometry Fee Fund. Though the overall estimate is unchanged from the amount approved by the 2020 Legislature, there were budgetary changes within the major categories of expenditure described below:

- **Salaries and Wages.** The agency estimates \$73,990 for salaries and wages in FY 2021. This is a decrease of \$446, or 0.6 percent, below the amount approved by the 2020 Legislature;

The decrease is due to less employer contributions to the state employee retirement plan;

- **Contractual Services.** The agency estimates \$90,097 for contractual services in FY 2021. This is an increase of \$446, or 0.5 percent, above the amount approved by the 2020 Legislature. The increase is due to increases in other contractual services; and
- **Commodities.** The agency estimates \$2,510 for commodities in FY 2021. This is the same as the amount approved by the 2020 Legislature.

The **Governor** concurs with the agency's FY 2021 revised estimate.

B. FY 2022 – Budget Year

| FY 2022 OPERATING BUDGET SUMMARY | | | | |
|-----------------------------------------|-------------------|-----------|------------------------------|------------|
| | Agency Request | | Governor's Recommendation | Difference |
| Total Request/Recommendation | \$ 172,099 | \$ | 172,099 | \$ 0 |
| FTE Positions | 1.0 | | 1.0 | 0.0 |
| Change from FY 2021: | | | | |
| <i>Dollar Change:</i> | | | | |
| State General Fund | \$ 0 | \$ | 0 | |
| All Other Funds | 5,502 | | 5,502 | |
| TOTAL | \$ 5,502 | \$ | 5,502 | |
| <i>Percent Change:</i> | | | | |
| State General Fund | 0.0 % | | 0.0 % | |
| All Other Funds | 3.3 | | 3.3 | |
| TOTAL | 3.3 % | | 3.3 % | |
| Change in FTE Positions | 0.0 | | 0.0 | |

The **agency** requests FY 2022 operating expenditures of \$172,099, all from the Optometry Fee Fund. This is an increase of \$5,502, or 3.3 percent, above the agency's revised FY 2021 estimate. The request includes 1.0 FTE position, which is the same number as the agency's FY 2021 revised estimate. The major categories of expenditure are detailed below:

- **Salaries and Wages.** The agency requests \$74,704 for salaries and wages for FY 2022. This is an increase of \$714, or 1.0 percent, above the agency's FY 2021 revised estimate. This increase is due to employer contributions to group health insurance and public employee retirement;

- **Contractual Services.** The agency requests \$94,885 for contractual services for FY 2022. This is a increase of \$4,788, or 5.3 percent, above the agency's FY 2021 revised estimate. The increase is due to increase of phone, internet, Office of Information Technology Services (OITS) fees and computer use; and

- **Commodities.** The agency requests \$2,510 for commodities in FY 2022. This is the same as the agency's FY 2021 revised estimate.

The **Governor** concurs with the agency's FY 2022 request.

C. FY 2023 – Budget Year

| FY 2023 OPERATING BUDGET SUMMARY | | | | |
|-----------------------------------------|-------------------|-----------|------------------------------|------------|
| | Agency Request | | Governor's Recommendation | Difference |
| | _____ | | _____ | _____ |
| Total Request/Recommendation | \$ 174,618 | \$ | 174,618 | \$ 0 |
| FTE Positions | 1.0 | | 1.0 | 0.0 |
| <i>Change from FY 2022:</i> | | | | |
| <i>Dollar Change:</i> | | | | |
| State General Fund | \$ 0 | \$ | 0 | |
| All Other Funds | 2,519 | | 2,519 | |
| TOTAL | \$ 2,519 | \$ | 2,519 | |
| <i>Percent Change:</i> | | | | |
| State General Fund | 0.0 % | | 0.0 % | |
| All Other Funds | 1.5 | | 1.5 | |
| TOTAL | 1.5 % | | 1.5 % | |
| Change in FTE Positions | 0.0 | | 0.0 | |

The **agency** requests FY 2023 operating expenditures of \$174,618, all from the Optometry Fee Fund. This is an increase of \$2,519, or 1.5 percent, above the agency's FY 2022 request. The FY 2023 request includes 1.0 FTE position, which is the same number as the agency's FY 2022 request. The major categories of expenditures are detailed below:

- **Salaries and Wages.** The agency requests \$76,407 for salaries and wages for FY 2023. This is an increase of \$1,703, or 2.3 percent, above the agency's FY 2022 request. This increase is due to increased employer contributions to state employee retirement and group health insurance;

- **Contractual Services.** The agency requests \$95,701 for contractual services for FY 2023. This is a increase of \$816, or 0.9 percent, above the agency's FY 2022 request. The increase is due to OITS fee expenditures; and
- **Commodities.** The agency request \$2,510 for commodities in FY 2023. This is no change from the agency's FY 2022 request.

The **Governor** concurs with the agency's FY 2023 request.

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Governor's Recommended Salary and Wage Adjustments

For FY 2022, the Governor recommends adding \$31.5 million, including \$11.3 million SGF, for a 2.5 percent state employee base pay adjustment. The plan would increase salaries for classified and unclassified employees in the Executive Branch, Legislative Branch, and Judicial Branch. Legislative and elected officials would be excluded from this salary adjustment. The funds would be appropriated to and certified for distribution by the State Finance Council if approved. Employees of state universities are also not included in the proposed pay plan; however, the Governor recommends adding \$10.4 million, all SGF, to the university operating grants. This amount is equivalent to what the pay plan would have provided for university employees, but the funds are included in the Kansas Board of Regents budget for use at their discretion.

Longevity Bonus Payments. In FY 2021 and for FY 2022, the Governor recommends funding longevity bonus payments for eligible state employees at the statutory rate of \$40 per year of service, with a 10-year minimum (\$400) and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008, are not eligible for longevity bonus payments. The estimated cost for the recommended FY 2021 payment is \$3.0 million, including \$1.1 million SGF. For FY 2022, the estimated cost is \$3.1 million, including \$1.1 million SGF. **This agency has no longevity payments for FY 2021, 2022 or 2023.**

Kansas Public Employees Retirement System (KPERs). The employer retirement contribution rate, including Death and Disability contributions, for the KPERs State and School Group is scheduled to be 14.23 percent in FY 2021 and 15.09 percent for FY 2022. The FY 2021 rate excludes the 1.0 percent KPERs Death and Disability

contribution that is currently subject to a moratorium described below.

The Governor recommends the KPERs State and School Group be reamortized. The current amortization period was set by the Legislature in 1993 for 40 years. The Governor proposes the new amortization be set for 25 years beginning in FY 2022, an extension of 10 years to the current plan. Reamortization would reduce employer contributions for the KPERs State and School Group in the short term. It is estimated that resetting the amortization period to 25 years could produce budget savings of \$177.3 million, including \$158.7 million SGF, for FY 2022. The Governor's recommendation would also incorporate \$25.8 million in KPERs layering payments into the amortization schedules. **No savings from this policy are currently included in this agency's budget.**

KPERs Death and Disability Group Insurance Fund. During FY 2021, a moratorium on employer contributions to the KPERs Death and Disability Group Insurance Fund was in effect. The fund had a sufficient balance to suspend payments on a temporary basis without affecting employee benefits. The moratorium was implemented *via* the Governor's allotment authority; therefore, the Legislative and Judicial branches are currently excluded from the moratorium. The total savings for the moratorium are estimated at \$46.7 million in contributions from the SGF. Included in this amount were savings of approximately \$40.3 million from KPERs School Group contributions in the Kansas State Department of Education budget. **No similar moratorium is proposed for FY 2022, requiring the addition of \$46.7 million to annualize the payments for the full fiscal year.**

Funding Sources

| Funding Source | Agency Req. Percent of Total FY 2022 | Gov. Rec. Percent of Total FY 2022 | Agency Req. Percent of Total FY 2023 | Gov. Rec. Percent of Total FY 2023 |
|--------------------|--------------------------------------------|------------------------------------------|--------------------------------------------|------------------------------------------|
| State General Fund | 0.0 % | 0.0 % | 0.0 % | 0.0 % |
| Optometry Fee Fund | 100.0 | 100.0 | 100.0 | 0.0 |
| TOTAL | 100.0 % | 100.0 % | 100.0 % | 100.0 % |

(Note: Totals may not add due to rounding.)

Optometry Fee Fund Analysis

The Board of Examiners in Optometry Fee Fund generates revenue from the collection of fees related to the licensing of optometrists.

The fee structure was changed from annual to biennial license renewal by the 2003 Legislature with the passage of HB 2169. The bill also raised the maximum renewal fee to \$800. The Board has made this transition, and now one-half of the licensees renew in even years and the other half in odd years. Other revenue is derived from examination fees, mailing list fees, and fees for new licenses.

KSA 75-3170a(a) provides that 90.0 percent of incoming revenues are retained by the agency and 10.0 percent are deposited into the SGF, up to a maximum of \$100,000 per fiscal year per fund.

All moneys in the Optometry Litigation Fund originate from the Optometry Fee Fund.

Within the Optometry Fee Fund there is an Official Hospitality account. The primary purpose of this account is to compensate the patients who are examined during the licensure examinations. The patients are provided with complimentary breakfast and lunch. They are also compensated monetarily for their time.

The table below summarizes estimated receipts and fund balances based upon the agency estimate and the Governor's recommendation. The transfers out in FY 2019, FY 2020, and FY 2021 reflect a transfer from the Optometry Fee Fund to the Pharmacy Fee Fund in the Board of Pharmacy for the operation and maintenance of the Kansas Prescription Drug Monitoring Program (K-TRACS) authorized by KSA 65-1683 through 65-1694. The authorized transfers for FY 2020 and FY 2021 are \$16,500 per year. Per the agency, if K-TRACS funding continued, the Kansas Board of Examiners in Optometry may be required to increase fees.

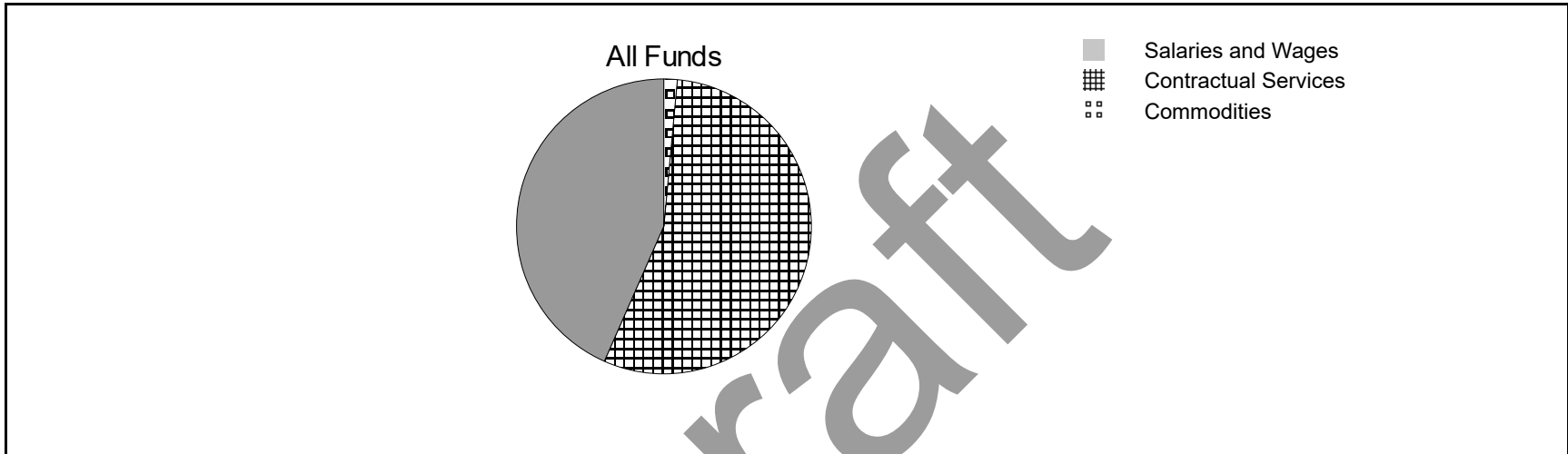
| Resource Estimate | Actual FY 2020 | Agency Estimate FY 2021 | Governor Rec. FY 2021 | Agency Request FY 2022 | Governor Rec. FY 2022 | Agency Request FY 2023 | Governor Rec. FY 2023 |
|-------------------------------------------|-----------------------|-------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|
| Beginning Balance | \$ 175,809 | \$ 161,977 | \$ 161,977 | \$ 169,330 | \$ 169,330 | \$ 156,196 | \$ 156,196 |
| Revenue | 141,141 | 171,450 | 171,450 | 156,465 | 156,465 | 180,765 | 180,765 |
| Transfers in | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Funds Available</i> | <i>\$ 316,950</i> | <i>\$ 333,427</i> | <i>\$ 333,427</i> | <i>\$ 325,795</i> | <i>\$ 325,795</i> | <i>\$ 336,961</i> | <i>\$ 336,961</i> |
| Less: | | | | | | | |
| Expenditures | \$ 143,398 | \$ 164,097 | \$ 164,097 | \$ 169,599 | \$ 169,599 | \$ 172,118 | \$ 172,118 |
| Transfers Out | 11,575 | 0 | 0 | 0 | 0 | 0 | 0 |
| Off-Budget Expenditures | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ending Balance | \$ 161,977 | \$ 169,330 | \$ 169,330 | \$ 156,196 | \$ 156,196 | \$ 164,843 | \$ 164,843 |
| Ending Balance as Percent of Expenditures | 113.0% | 103.2% | 103.2% | 92.1% | 92.1% | 95.8% | 95.8% |
| Month Highest Ending Balance | June \$ 195,386 | May \$ 218,659 | May \$ 218,659 | May \$ 224,833 | May \$ 224,833 | May \$ 233,833 | May \$ 233,833 |
| Month Lowest Ending Balance | February \$ 98,840 | February \$ 106,013 | February \$ 106,013 | February \$ 134,687 | February \$ 134,687 | February \$ 134,687 | February \$ 134,687 |

BOARD OF EXAMINERS IN OPTOMETRY LICENSURE FEES

| License | Current Fee | Statutory Limit |
|-----------------------------------|----------------|--------------------|
| Initial license examination fee | \$ 150 | \$ 450 |
| First examination retake fee | 75 | 150 |
| Subsequent examination retake fee | 45 | 150 |
| Initial license | 30 | 150 |
| Renewal (biennial) | 450 | 800 |
| Late Fee | 500 | 500 |
| Reciprocal license | 150 | 450 |
| Reactivation of license | 100 | 450 |

CATEGORY DETAIL

EXPENDITURES BY CATEGORY—GOVERNOR’S FY 2022 RECOMMENDATION



| Category | Gov. Rec. All Funds FY 2022 | Percent of Total | Gov. Rec. SGF FY 2022 | Percent of Total |
|----------------------|-----------------------------------|---------------------|-----------------------------|---------------------|
| Salaries and Wages | \$ 74,704 | 43.4 % | \$ 0 | -- % |
| Contractual Services | 94,885 | 55.1 | 0 | -- |
| Commodities | 2,510 | 1.5 | 0 | -- |
| TOTAL | \$ 172,099 | 100.0 % | \$ 0 | 100.0 % |

FTE POSITIONS BY PROGRAM FY 2020 – FY 2023

| <u>Program</u> | <u>Actual FY 2020</u> | <u>Agency Est. FY 2021</u> | <u>Gov. Rec. FY 2021</u> | <u>Agency Req. FY 2022</u> | <u>Gov. Rec. FY 2022</u> | <u>Agency Req. FY 2023</u> | <u>Gov. Rec. FY 2023</u> |
|----------------|---------------------------|--------------------------------|------------------------------|--------------------------------|------------------------------|--------------------------------|------------------------------|
| Administration | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |

(Note: For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.)

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