

NEVADA STATE BOARD OF OPTOMETRY



NOTICE OF PUBLIC MEETING

The Nevada State Board of Optometry will hold a Board meeting **via Zoom** on **Thursday, December 15, 2022, beginning at 5pm PST**

Click here to join the meeting:

<https://us04web.zoom.us/j/2223183085?pwd=8vAUhyGDarmceXtJbdBslGazbbCatG.1>

Meeting ID: 222 318 3085

Passcode: TCqKr1

The public is invited to attend.

AGENDA

NOTE: Items on this agenda may be taken out of order.

1. **Call to Order**, Roll Call, welcome, introductions.
2. **Public Comment**. No action will be taken at this meeting on any issues presented in Public Comment.
3. ***For Possible Action**. Consideration and approval of the proposed **minutes** of the September 8, 2022, Board meeting. (materials)
4. ***For Possible Action**. Presentation of annual **agency Audit report**, Board consideration and acceptance of the report, ratification of approval granted by President Mariah Smith on November 22, 2022. (materials)
5. ***For Possible Action**. Consideration and approval of 2022 **compensation adjustment and/or bonus** for Board staff: Executive Director and Licensing Specialist.
6. ***For Possible Action**. Update on intended **2023 Optometry BDR**; discussion of proposed tele-optometry provisions; refinement of "direct-to-patient" application. (materials)
7. Executive Director's Reports.
 - A. Status report regarding development of Thentia Cloud for Government and Thentia Payments implementation.
 - B. ARBO conference registration – June 2023, Washington D.C. area
 - C. Other reports/information.

Agenda continues on next page . . .

7. **Public Comment.** No action will be taken at this meeting on any issue presented in Public Comment.
8. ***For Possible Action.** Adjournment.

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FY 2022-2023 remaining Regular meeting schedule

Thurs. February 23 – 8:30 am **ALL DAY** Bd. Meeting in Las Vegas or by Zoom

Thurs. April 20 - – Reg. Bd. meeting – Noon – phone or Zoom

Thurs. June 22 – 8:30 am **ALL DAY** in Reno or by Zoom

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❖ The Board is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada State Board of Optometry: in writing at P.O. Box 1824, Carson City, Nevada 89702; via email at admin@nvoptometry.org; or call 775-883-8367 as far in advance as possible.

❖ To request an advance copy of the supporting materials for this meeting, contact admin@nvoptometry.org or call 775-883-8367.

This Notice of Public Meeting and Agenda was posted in compliance with NRS 241.020, before 9:00 a.m. on the third working day before the meeting at the following locations:

- Nevada State Board of Optometry office, Carson City, NV 89705
- Nevada State Board of Optometry website: <https://nvoptometry.org/>
- Nevada Public Notice website: <http://notice.nv.gov>

NEVADA STATE BOARD OF OPTOMETRY



MINUTES OF PUBLIC MEETING

September 8, 2022

1. **Roll Call, Call to Order, welcome, introductions.** President Mariah Smith, O.D. opened the Zoom meeting at 12:04 p.m. and asked for public comment. President Mariah Smith, O.D., Vice President Jeff Austin, O.D., and Board members Stephanie Lee, O.D., and Drew Johnson were in attendance. Also present were Executive Director Caren C. Jenkins, Board Counsel Asheesh Bhalla, Esq., and Licensing Specialist, Nancy Padilla. Public attendees included Executive Director Terri Ogden of the Nevada Optometric Association, Ken Kopolow, O.D. and Steve Girisgen, O.D.
2. **Public Comment.** No public comments were offered.
3. **Consideration and approval of the proposed minutes of the July 21, 2022, Board Meeting.** Drew Johnson made a motion to accept the minutes from July 21, 2022. Stephanie Lee, O.D. seconded the motion. The motion carried unanimously.
6. ***This agenda item was taken out of order. Update on Bill Sponsor and intended 2023 Optometry BDR. Additional topic for Legislative BDR. Add "citation authority" to Board statutes.*** Drew Johnson reported that he could not reach Senator Donate and asked for the deadline to have a Bill Sponsor secured. Executive Director Caren C. Jenkins clarified that the last day to request a bill draft is February 14, 2023, but that sooner is better. After discussion, President Mariah Smith, O.D. made a motion to add "citation authority" to our legislative package so the Board could levy a citation and fine for minor violations without holding a full hearing. Vice President Jeff Austin, O.D. seconded the motion. The motion carried unanimously.

4. ***This agenda item was taken out of order. Presentation of proposed stipulated settlement imposing discipline to resolve Complaint No. 22-09 regarding the actions of NIDHA NATHANI, O.D., Lic. No. 1118, represented by Lyn E. Beggs, Esq.; Consideration and discussion of possible Board acceptance, modification or rejection of all or part of the proposed resolution.*** Lyn Beggs, Esq. joined the meeting by Zoom at 12:15 p.m. Executive Director Jenkins provided an overview of the Complaint and the Stipulated Settlement Proposal. Stephanie Lee, O.D. asked how we would monitor her probation. Vice President Jeff Austin, O.D. recommended a modification to the Stipulated Settlement Proposal that would require Dr. Nathani retake the state law exam. After discussion of past penalties imposed, President Mariah Smith, O.D. made a motion to reduce the penalty to \$2000.00, a 2-year probation, and the reporting of anyone who approaches her to engage in similar conduct, and retake (and pass within 14 days) the state law exam. Lyn Beggs, Esq. accepted the modification on behalf of her client. Vice President Jeff Austin, O.D. seconded the motion. Motion passed unanimously.
5. **Executive Director's Reports and requests for direction.**
- A. **Continued consideration of complaints presented to licensees with identified deficiencies at 2022 renewal. Acceptance or rejection of stipulations with licensees who agreed to remedy the deficiency immediately and pay a fine as authorized by the Board.** Executive Director Jenkins had nothing new to report. Later in the meeting, Director Jenkins informed the Board that Asheesh Bhalla, Esq. advised that the previously heard violations of existing statutes could be penalized.
 - B. **Discussion and staff direction regarding verifying applicants' status if licensed in other jurisdictions. Possible addition to Board Policies outlining permitted resources for this information.** After discussion, the Board agreed to allow changes to our verification process of licensees from another jurisdiction to include letters of good standing or internet verifications. No motion was necessary.
 - C. **Presentation, discussion, and possible adoption of procedure guide for processing complaints.** Director Jenkins provided an overview of the Complaint procedure and the handing off of a Complaint to the Attorney General's office where appropriate.
 - D. **Other reports/information.** Director Jenkins announced the ARBO annual conference is being held in Alexandria, VA in June 2023 and anyone wanting to attend should get in on the early registration.
7. **Public Comment.** Asheesh Bhalla, Esq. announced his last day as the Optometry Board Counsel would be September 16, 2022. Ken Kopolow, O.D. asked for an update on any BDR concerning private equity firms or remote optometry (telehealth). President Mariah Smith, O.D. provided an update on the additions to the legislative package since the last meeting. Drew Johnson proposed an agenda item for the next meeting to discuss 2-year eye exams and prescriptions for the legislative package.
8. **Adjournment.** Drew Johnson made a motion to adjourn. President Mariah Smith, O.D. seconded the motion. The meeting adjourned at 1:04 p.m.

FY 2022-2023 Regular meeting schedule

Thurs. December 15 – Reg. Bd. meeting – 5:00 p.m. – Zoom or telephone

Thurs. February 23 – 8:30 am **ALL DAY** in Las Vegas or by Zoom

Thurs. April 20 -- Reg. Bd. meeting – Noon – Zoom or telephone

Thurs. June 22 – 8:30 am **ALL DAY** in Reno or by Zoom

These minutes were considered and approved by majority vote of the Nevada State Board of Optometry at its meeting on December 15, 2022.

Caren C. Jenkins, Executive Director

DRAFT

**NEVADA STATE BOARD OF OPTOMETRY
FINANCIAL STATEMENTS
JUNE 30, 2022**

**NEVADA STATE BOARD OF OPTOMETRY
FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2022**

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Casey Neilson, Inc.
Accountants and Advisors

INDEPENDENT AUDITOR'S REPORT

To the Board Members of
Nevada State Board of Optometry
Carson City, Nevada

Report on the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and the major fund of the Nevada State Board of Optometry (the "Board"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Board, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Board and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Board's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Board's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, pension and other post-employment benefit information on pages 3 - 6, 24, 25 - 26 and 27 - 28, respectively, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated November 19, 2022, on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Board's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control over financial reporting and compliance.



Reno, Nevada
November 19, 2022

NEVADA STATE BOARD OF OPTOMETRY MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of the Nevada State Board of Optometry annual financial report presents our discussion and analysis of the Board's financial performance during the fiscal year that ended June 30, 2022. Please read it in conjunction with the Board's financial statements, which immediately follow this section.

Financial Highlights

- Revenue for the fiscal year ended June 30, 2022 was \$245,856 representing a decrease of 8.83% over fiscal year ended June 30, 2021.
- There was a decrease in long-term liabilities of \$86,099 and an decrease in pension expense of \$7,632 as a result of required adjustments under GASB 68 and 82.
- There was an increase in long-term liabilities of \$10,454 and an increase in other post-employment benefit expense of \$5,837 as a result of required adjustments under GASB 75.
- There was a decrease in long term liabilities \$10,839 related to leases and the implementation of GASB 87.

Overview of Financial Statements

This discussion and analysis are intended to serve as an introduction to the Board's basic financial statements. The Board's basic financial statements comprise three components: 1) government-wide financial statements; 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the Board's finances, in a manner similar to a private-sector business.

The statement of net assets presents information on all of the Board's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.

The statement of activities presents information showing how the Board's net position changed during the most recent fiscal year. All changes in net positions are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused compensated absences) .

The government-wide financial statements outline functions of the Board that are principally supported by license fees. The governmental activities of the Board include licensing and regulation of Optometrists and to accredit schools of optometry in the State of Nevada. The government-wide financial statements can be found on pages 7 and 8 of this report.

Fund Financial Statements

A fund is a group of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Board uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The Board uses only one governmental fund.

NEVADA STATE BOARD OF OPTOMETRY MANAGEMENT'S DISCUSSION AND ANALYSIS

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as government activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating the Board's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for government activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Board's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenue, expenditures and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities. These reconciliations are on pages 7 and 8, respectively.

In accordance with Nevada Revised Statutes, the Board maintains its financial information in a special revenue fund. The basic governmental fund financial statements can be found on pages 7 and 8 of this report.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 9 through 23 of this report.

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning the Board's budget process. The Board adopts an annual budget and a budgetary comparison has been provided in the governmental fund statement of revenue and expenditures – budget and actual on page 24 of this report.

**NEVADA STATE BOARD OF OPTOMETRY
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Condensed Financial Statements

The Condensed Statements of Net Position is as follows:

	<u>06/30/2022</u>	<u>06/30/2021 As Restated</u>
ASSETS		
Current & other assets	\$ 626,008	\$ 573,162
Deferred outflows of resources	188,243	153,569
Capital assets, net	4,118	6,580
Right of use assets, net	<u>32,555</u>	<u>43,407</u>
Total Assets	<u>850,924</u>	<u>776,718</u>
LIABILITIES		
Current liabilities	312,977	196,201
Deferred inflows of resources	188,064	75,757
Long-term liabilities	<u>320,378</u>	<u>406,862</u>
Total Liabilities	<u>821,419</u>	<u>678,820</u>
NET ASSETS		
Non-spendable Capital Assets	4,118	6,580
Assigned for: Board Activities	<u>25,387</u>	<u>92,318</u>
Total Net Position	<u>\$ 29,505</u>	<u>\$ 98,898</u>

The Condensed Statements of Activities is as follows :

	<u>06/30/2022</u>	<u>06/30/2021 As Restated</u>
REVENUE		
Program revenue-services	\$ 245,691	\$ 269,306
General revenue-investments	165	328
Total Revenue	<u>245,856</u>	<u>269,634</u>
EXPENSES		
Optometry Board operations	<u>316,077</u>	<u>287,357</u>
Change in Net Position	<u>\$ (70,221)</u>	<u>\$ (17,723)</u>

The condensed statements of net position and activities have been restated for the impact of the implementation of GASB 87. However, as the impact on beginning net position was not material, implementation has been accounted for in the current year.

Government-wide Financial Analysis

Net assets may serve over time as a useful indicator of a government's financial position. In the case of the Board, assets exceeded liabilities by \$29,505 and \$98,898 as of June 30, 2022 and 2021, respectively.

NEVADA STATE BOARD OF OPTOMETRY MANAGEMENT'S DISCUSSION AND ANALYSIS

Changes in Net Assets

The Board's total revenues for the fiscal year ended June 30, 2022 were \$245,856. The total costs of all programs and services were \$316,077. The decrease in net position is attributable to a decrease in revenues due to a rebate of \$375 for each licensee that had held their license for four years or more, and as well as the decision to cease collecting credit card processing fees along with increases in the net adjustments associated with pension and other post-employment benefits and professional services.

Financial Analysis of the Board's Fund

As noted earlier, the Board uses fund accounting to ensure and demonstrate compliance with finance - related legal requirements.

Governmental Funds

The focus of the Board's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Board's financing requirements. In particular, unreserved fund balance may serve as a useful measure of the Board's net resources available for spending at the end of the fiscal year.

The financial performance of the Board as a whole is reflected in its governmental funds. As the Board completed the year, its governmental funds reported a fund balance of \$341,437.

Budgetary Highlights

The Board prepares its budget prior to the start of each year. A comparison of this budget with actual results is provided in the Statement of Revenue and Expenditures - Budget and Actual.

Capital Assets and Debt Administration

In government-wide financial statements, these assets are reflected at their historical costs less accumulated depreciation. Additional information can be found in the footnotes to these financial statements.

Economic Factors and Next Years' Budget and Rates

The Board used no specific economic factors in preparing its budget for fiscal year 2022/2023. The Board's revenue is limited by maximum license fees specified in the Nevada Revised Statutes and the Nevada - Administrative Code.

Contacting the Board's Financial Management

This financial report is designed to provide a general overview of the Board's finances and to demonstrate the Board's accountability for the money it receives. If you have questions about this report or need additional financial information, please contact the Board at (775) 883-8367.

BASIC FINANCIAL STATEMENTS

NEVADA STATE BOARD OF OPTOMETRY
Statement of Net Position and Governmental Fund Balance Sheet
June 30, 2022

	General Fund	Adjustments (Note 9)	Statement of Net Position
ASSETS			
Cash and cash equivalents	\$ 613,846	\$ -	\$ 613,846
Other receivables	3,360	-	3,360
Prepaid expenses	7,802	-	7,802
Refundable security deposit	1,000	-	1,000
Capital assets, net of accumulated depreciation	-	4,118	4,118
Right of use assets, net of accumulated amortization	-	32,555	32,555
Total assets	<u>626,008</u>	<u>36,673</u>	<u>662,681</u>
DEFERRED OUTFLOWS OF RESOURCES			
Other post-employment benefits	-	9,686	9,686
Pension requirement	-	178,557	178,557
Total Assets and Deferred Outflows of Resources	<u>\$ 626,008</u>	<u>224,916</u>	<u>850,924</u>
LIABILITIES			
Accounts payable	\$ 4,066	-	4,066
Employee benefits payable	15,191	-	15,191
Licensing fees received in advance	265,314	-	265,314
Accrued compensated absences	-	17,567	17,567
Net other post-employment benefits liability	-	118,552	118,552
Net pension liability	-	178,855	178,855
Lease liabilities	-	33,810	33,810
Total liabilities	<u>284,571</u>	<u>348,784</u>	<u>633,355</u>
DEFERRED INFLOWS OF RESOURCES			
Other post-employment benefits	-	4,836	4,836
Pension requirement	-	183,228	183,228
Total Liabilities and Deferred Inflows of Resources	<u>284,571</u>	<u>536,848</u>	<u>821,419</u>
FUND BALANCE/NET POSITION			
FUND BALANCE			
Nonspendable	12,162	(12,162)	-
Assigned for:			
Board Activities	<u>329,275</u>	<u>(329,275)</u>	<u>-</u>
Total Liabilities and Fund Balance	<u>\$ 626,008</u>		
NET POSITION			
Investment in capital assets and right of use lease assets, net of related debt		2,863	2,863
Unrestricted		<u>26,642</u>	<u>26,642</u>
Total Net Position		<u>\$ 29,505</u>	<u>\$ 29,505</u>

See Accompanying Notes to Financial Statements

NEVADA STATE BOARD OF OPTOMETRY

Statement of Activities and Governmental Fund Revenue, Expenditures and Changes in Fund Balance

For the Year Ended June 30, 2022

	General Fund	Adjustments (Note 9)	Statement of Activities
Expenditures/Expenses			
Optometry Board operations	\$ 309,997	\$ 6,080	\$ 316,077
Total Expenditures			
Program Revenues			
Charges for services	245,691	-	245,691
Net program revenues	(64,306)	(6,080)	(70,386)
General Revenue			
Interest income	165	-	165
Excess (Deficiency) of Revenue over Expenditures	(64,141)	64,141	-
Change in net position	-	(70,221)	(70,221)
Fund Balance/Net Position			
Fund Balance/Net Position, June 30, 2021	405,578	(305,852)	99,726
Fund Balance/Net Position, June 30, 2022	\$ 341,437	\$ (311,932)	\$ 29,505

See Accompanying Notes to Financial Statements

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 1 - NATURE OF OPERATIONS

The Nevada State Board of Optometry (the Board) was created in 1913 by the Nevada State Legislature. The Board is regulated by the Nevada Revised Statutes, which also specify the authorized activities of the Board. The Board is the licensing and regulatory agency for optometrists and has the power to accredit schools of optometry in the State of Nevada.

The financial statements of the Board have been prepared in accordance with generally accepted accounting principles as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity

Effective July 1, 2001, Chapter 353 of the Nevada Revised Statutes (NRS) was amended to exempt certain professional and occupational boards from the state budget act and the provisions governing the administration of state funding. The provisions of Chapter 353 do not apply to boards created by the provisions of NRS 590.485 and chapters 623 to 625A, inclusive, 628, 630 to 644A, inclusive, 648, 654 and 656 of NRS and the officers and employees thereof. Accordingly, the Board's budgeting and accounting practices and procedures have been removed from the oversight of the Department of Administration.

The Board's financial statements are not included in the financial statements of the State of Nevada since the State does not exercise financial or administrative control over the Board. This conforms with GASB codification Section 2100, *Defining the Government Reporting Entity*.

Basis of Presentation

The Board is defined as a single-program special-purpose entity under GASB Statement No. 14, paragraph 131 as amended by GASB Statement No. 39. This classification allows for the preparation of GASB 34 financial statements under an optional reporting method which combines the fund and government-wide statements into a single presentation. Under standard GASB 34 methodology, the government-wide statement of net position and statement of activities are presented independently from the respective fund balance sheet and statement of revenues, expenditures, and fund balance. A reconciliation of adjustments provided on the modified financial statements demonstrates the changes from fund financial statements to the government-wide financial statements in order to assist the reader in evaluating these statements. The Board has utilized this optional method of presentation.

GASB Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, requires the Board to apply all applicable GASB pronouncements and, unless they conflict with or contradict GASB pronouncements all Financial Accounting Standards Board (FASB) Statements and Interpretations, Accounting Principles Board Opinions, and Accounting Research Bulletins issued on or before November 30, 1989. Accordingly, the Board has not applied FASB pronouncements issued after that date.

EVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Basis of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenue is recognized as soon as they are both measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectable within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting except for compensated absences which are recognized as expenditures only when payment is due. By provision of statute, the Board administers its licensing registration biennially. Revenue derived from renewals is recognized ratably over the license term.

The Board has only governmental fund types.

Fund Accounting

Under chapter 636.110 of the Nevada Revised Statutes, the general fund of the Board is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures to be used solely for the Board's benefit. According to statute, any money deposited to Nevada State Board of Optometry does not revert to the State of Nevada's general fund. The net assets of the general fund are restricted solely to be used by the Board to meet its obligation of licensing and regulating the practice of optometry in the State of Nevada.

In the fund financial statements, fund balances for the governmental fund are reported in classifications that comprise a hierarchy based primarily on how amounts can be spent. These include "non-spendable" which are not expected to be converted to cash, such as inventory or prepaid items, "restricted" by conditions of law, regulation grants or contract with external parties, "committed" which arise from acts of the Board, "assigned" which reflect an intent by management of the Board or "unassigned" which is the residual amount.

The Board first utilizes restricted resources to finance qualifying activities then unrestricted resources, as they are needed. In the governmental environment, resources are often assigned or committed to specific purposes, indicating that those amounts are not considered available for general operations. In contrast to restricted amounts, these types of constraints are internal and can be removed or modified. Therefore, assignments and commitments are not presented in the statements of net position.

The Board has adopted GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. Equity is classified as net position and displayed in three different components. These include "Net invested in capital assets and right of use lease assets" which consist of capital assets, net of accumulated depreciation and any related debt and net lease assets; "Restricted net position which consists of net position with constraints placed on their use either by (1) external groups such as creditors, granters, contributors, or laws and regulations of other governments; or (2) law through constitutional provisions or enabling legislation; or "Unrestricted net position which is a net position that is neither classified as "invested in capital assets" nor as "restricted."

EVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Deferred Outflows and Inflows of Resources

In addition to assets, a separate section is reported for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period and will not be recognized as an outflow or resources (expense/expenditure) until then. The changes in proportion and differences between employer contributions and proportionate share of contributions as well as contributions made after the measurement period for pensions and other post-employment benefits qualify for reporting in this category.

In addition to liabilities, a separate section is reported for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period and will not be recognized as an inflow of resources (revenue) until that time. Differences between expected and actual experience and between projected and actual investment earnings on pension plan investments and other post-employment benefits qualify for reporting in this category.

Budget Data

The Board prepares an annual budget. The budget is prepared on a basis similar to generally accepted accounting principles under the modified accrual basis of accounting. All annual appropriations lapse at fiscal year-end.

Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources and pension expense, information about the fiduciary net position of the Public Employees' Retirement System of Nevada (PERS) and additions to/deductions from PERS' fiduciary net position have been determined on the same basis as they are reported by PERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Post-employment Benefits Other Than Pensions (OPEB)

For purposes of measuring the net OPEB liability, related deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the Public Employees' Benefit Program (PEBP) and additions to/deductions from PEBP's fiduciary net position have been determined on the same basis as they are reported by PEBP. For this purpose, PEBP recognize benefit payments when due and payable in accordance with the benefit terms. PEBP's cash and cash equivalents consist of short-term, highly liquid investments that are both (a) readily convertible to known amounts of cash and (b) so near to materiality that they present insignificant risk of changes in value due to changing interest rates.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

EVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Cash and Cash Equivalents

Cash is maintained in various commercial banks in Carson City, Nevada. The Board participates in the State of Nevada collateralization program to assure that funds deposited are protected. By statutes, all cash must be deposited in entities that are located in the State of Nevada.

Risk Management

The Board collects licensing fees in the State of Nevada. Financial instruments which potentially subject the Board to concentrations of credit risk consist primarily of cash equivalents. The Board has not experienced any significant losses in such accounts, nor does the Board believe it is exposed to any significant credit risk.

The Board has bank accounts, which are insured by the Federal Deposit Insurance Corporation up to \$250,000 per institution. On June 30, 2022, the bank balances do not exceed federally insured limits.

Capital Assets

Capital assets, which include furniture, fixtures and equipment are reported in the net asset column in the government-wide financial statements. Capital assets are defined by the Board as assets with an initial, individual cost of \$1,000 and an estimated useful life of at least one year. Such assets are recorded at historical cost. Donated assets are recorded at estimated fair market value at the date of donation. Expenditures for minor replacements, maintenance, and repairs are charged to expense as incurred. Depreciation is provided over the estimated useful lives of 3 to 5 years of the related capital assets using the straight-line method for financial statement purposes.

Under the modified accrual basis of accounting, acquisitions are considered expenditures in the year purchased.

Compensated Absences

The Board accrues a liability for compensated absences that meet all of the following criteria:

1. The Board's obligations relating to employee's rights to receive compensation for future absences is attributable to services already rendered;
2. The obligation relates to rights that vest or accumulate;
3. Payment of compensation is probable; and
4. The amount can be reasonably estimated.

Vacation and sick leave may be accumulated by employees up to certain maximums and is payable upon retirement or termination. No liability is reported for unpaid accumulated vacation or sick leave on the general fund balance sheet as no amounts were paid within 60 days subsequent to year end. Accumulated unused vacation and sick leave earned as of June 30, 2022, is reflected in the statement of net position.

EVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

New Accounting Pronouncements

In June 2017, the GASB issued Statement No. 87, Leases. The primary objective is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This statement is effective for fiscal years beginning after December 15, 2019. The anticipated impact of this pronouncement is uncertain at this time. In May 2020, the GASB issued Statement No. 95, Postponement of the Effective Dates of Certain Authoritative Guidance. This statement is effective immediately and postpones the implementation of GASB No. 87 by eighteen months, which defers the effective for fiscal years beginning after June 15, 2021. Accordingly, the Board implemented the standard in the current year for the earliest period presented. The implementation of this standard had an immaterial impact on net position.

In May 2020, the GASB issued Statement No. 96, Subscription-Based Information Technology Arrangements (SBITAs). The primary objective of this Statement is to provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscriptions asset – an intangible asset – and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA, GASB Statement No. 96 will be effective for the Board for fiscal year ending June 30, 2023. The Board is currently evaluating the full effect that the adoption of this standard will have on the financial statements.

Subsequent Events

In preparing these financial statements, the Board has evaluated events and transactions for potential recognition or disclosure through November 19, 2022, the date the financial statements were available to be issued. Subsequent events after that date have not been evaluated

NOTE 3 - COMPLIANCE WITH NEVADA STATUTES AND ADMINISTRATIVE CODES

It is believed that the Board conformed to all significant statutory constraints on its financial administration during the year under Nevada Revised Statutes 218 and 636.

EVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 4 - CAPITAL ASSETS

The Board has custodial responsibility to the State of Nevada for furniture, fixtures and equipment acquired with resources of the Board. The capital asset activity during the year is as follows:

	Balance June 30, 2021	Increases	Decreases	Balance June 30, 2022
Capital assets, not being depreciated				
None				
Capital assets, being depreciated				
Office furniture and equipment	\$ 31,701	\$ -	\$ -	\$ 31,701
Website design	6,525	-	-	6,525
Total capital assets	38,226	-	-	38,226
Less accumulated depreciation	(31,646)	(2,462)	-	(34,108)
Total capital assets, being depreciated net	6,580	(2,462)	-	4,118
Net capital assets	\$ 6,580	\$ (2,462)	\$ -	\$ 4,118

NOTE 5 - LEASES

The Board leases office space in Carson City, Nevada. The existing lease was set to expire February 5, 2025; however pursuant to an estoppel certificate, the new expiration is June 30, 2025. The monthly rental payment is \$874 per month, increasing by 3% annually on July 1, and does not include common area maintenance ("CAM") expenses of \$352 per month, which are subject to change. Accordingly, the Board has used an incremental borrowing rate equal to the five year treasury rate to discount the annual lease payments and to recognize the intangible right to use this asset and the lease liability as of June 30, 2022 and 2021.

	Balance June 30, 2021	Additions	Deletions	Balance June 30, 2022
Lease assets:				
Buildings	\$ 54,259	\$ -	\$ -	\$ 54,259
Less: accumulated depreciation	10,852	10,852	-	21,704
	\$ 43,407	\$ (10,852)	\$ -	\$ 32,555

	Balance June 30, 2021	Additions	Deletions	Balance June 30, 2022	Amount due in one year
Lease liabilities:					
Buildings	\$ 44,235	\$ -	\$ 10,425	\$ 33,810	\$ 10,839

EVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 5 – LEASES (CONTINUED)

Annual requirements to amortize long- term obligations and related interest are as follows:

Year Ending June 30	Principal	Interest
2023	\$ 10,839	\$ 290
2024	11,266	197
2025	11,705	101
	\$ 33,810	\$ 588

NOTE 6 - LONG-TERM LIABILITIES

The following is a summary of changes in the Board's long-term liabilities, other than net pension liability and net other post-employment benefits liability:

	Balance June 30, 2021	Increases (Decreases)	Balance June 30, 2022	Due Within One Year
Accrued compensated absences	\$ 17,192	\$ 375	\$ 17,567	\$ 17,567

NOTE 7 - DEFINED BENEFIT PENSION PLAN

General Information about the Pension Plan

Plan Description

PERS (the System) administers a cost-sharing, multiple-employer, defined benefit pension plan, which includes both Regular and Police/Fire members. The System was established by the Nevada Legislature in 1947, effective July 1, 1948. The System is administered to provide a reasonable base income to qualified employees who have been employed by a public employer and whose earning capacities have been removed or substantially impaired by age or disability.

Benefits Provided

Benefits, as required by the Nevada Revised Statutes (NRS or statute), are determined by the number of years of accredited service at time of retirement and the member's highest average compensation in any 36 consecutive months with special provisions for members entering the System on or after January 1, 2010 and July 1, 2015. Benefit payments to which participants or their beneficiaries may be entitled under the plan include pension benefits, disability benefits, and survivor benefits.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

General Information about the Pension Plan (Continued)

Benefits Provided (Continued)

Monthly benefit allowances for members are computed as 2.5% of average compensation for each accredited year of service prior to July 1, 2001. For service earned on and after July 1, 2001, this factor is 2.67% of average compensation. For members entering the System on or after January 1, 2010, there is a 2.50% multiplier and for regular members entering the System on or after July 1, 2015, there is a 2.25% factor.

The System offers several alternatives to the unmodified service retirement allowance which, in general allow the retired employee to accept a reduced service retirement allowance payable monthly during his or her lifetime and various optional monthly payments to a named beneficiary after his or her death. Post-retirement increases are provided by authority of NRS 286.575 - .579.

Vesting

Regular members entering the System prior to January 1, 2010, are eligible for retirement at age 65 with five years of service, at age 60 with 10 years of service, or at any age with 30 years of service. Regular members entering the System on or after January 1, 2010, are eligible for retirement at age 65 with five years of service, or age 62 with 10 years of service, or any age with 30 years of service. Regular members who entered the System on or after July 1, 2015, are eligible for retirement at age 65 with five years of service, or at age 62 with 10 years of service or at age 55 with 30 years of service or any age with 33 1/3 years of service.

The normal ceiling limitation on monthly benefits allowances is 75% of average compensation. However, a member who has an effective date of membership before July 1, 1985 is entitled to a benefit of up to 90% of average compensation. Both Regular and Police/Fire members become fully vested as to benefits upon completion of five years of service.

Contributions

The authority for establishing and amending the obligation to make contributions and member contribution rates, is set by statute. New hires, in agencies which did not elect the Employer-Pay Contribution (EPC) plan prior to July 1, 1983, have the option of selecting one of two contribution plans. In one plan, contributions are shared equally by employer and employee. In the other plan, employees can take a reduced salary and have contributions made by the employer (EPC).

The System's basic funding policy provides for periodic contributions at a level pattern of cost as a percentage of salary throughout an employee's working lifetime in order to accumulate sufficient assets to pay benefits when due.

The System receives an actuarial valuation on an annual basis indicating the contribution rates required to fund the System on an actuarial reserve basis. Contributions actually made are in accordance with the required rates established by the Nevada Legislature. These statutory rates are increased/decreased pursuant to NRS 286.421 and 286.450.

The actuarial funding method used is the Entry Age Normal Cost Method. It is intended to meet the funding objective and result in a relatively level long-term contributions requirement as a percentage of salary.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

Pension Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2022, the Board reported a liability of \$178,855 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Board's proportion of the net pension liability was based on total contributions due on wages paid during the measurement period. Each employer's proportion of the net pension liability was based on their combined employer and member contributions relative to the total combined employer and member contributions for all employers for the period ended June 30, 2021. At June 30, 2021, the Board's proportion was .00196%.

For the year ended June 30, 2022, the Board recognized pension expense of \$(7,632) and contributions made on behalf of employees of \$21,146. Amounts totaling \$21,146, resulting from Board contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2022. For the year ended June 30, 2022, the Board contributed \$21,146, under the statutory requirements based upon covered payroll of \$148,453 which equates to 14.24% overall to the plan.

At June 30, 2022, the Board reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 19,812	\$ 1,259
Net difference between projected and actual earnings on pension plan investments	-	145,940
Change in assumptions	59,383	-
Change in proportion	78,216	36,029
Board contributions subsequent to the measurement date	21,146	-
	\$ 178,557	\$ 183,228

Deferred outflows/(inflows) of resources will be recognized as follows:

Year Ending June 30		
2023	\$	(2,898)
2024		18
2025		(20,577)
2026		(18,995)
2027		14,701
2028 and later		1,934
	\$	(25,817)

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

Pension Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions (Continued)

The net difference between projected and actual investment earnings on pension plan investments will be recognized over five years, all the other above deferred outflows and deferred inflows will be recognized over the average expected remaining service lives, which was 6.14 years for the measurement period ending June 30, 2021.

Actuarial Assumptions

The System's net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The total pension liability was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation rate	2.50%
Investment rate of return	7.25%
Productivity pay increase	0.50%
Projected salary increases	Regular: 4.20% to 9.10%, depending on service Rates include all inflation and productivity increases
Other assumptions	Same as those used in the June 30, 2021 funding actuarial valuation

Actuarial assumptions used in the June 30, 2021 valuation were based on the results of the experience study for the period July 1, 2016 through June 30, 2020. The discount rate used to measure the total pension liability was 7.25% as of June 30, 2021. The projection of cash flows used to determine the discount rate assumed plan contributions will be made in amounts consistent with statutory provisions and recognizing the plan's current funding policy and cost-sharing mechanism between employers and members. For this purpose, all contributions that are intended to fund benefits for all plan members and their beneficiaries are included, except the projected contributions that are intended to fund the service costs for future plan members and their beneficiaries are not included.

Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability as of June 30, 2021.

Investment Policy

The System's policies which determine the investment portfolio target asset allocation are established by the PERS Board. The asset allocation is reviewed annually and is designed to meet the future risk and return needs of the System. As of June 30, 2021, PERS' long-term inflation assumption was 2.50%.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 7 - DEFINED BENEFIT PENSION PLAN (CONTINUED)

Pension Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions (Continued)

Investment Policy

The following was the adopted policy target asset allocation as of June 30, 2021:

Asset Class	Target Allocation	Long-Term Geometric Expected Real Rate of Return
Domestic Equity	42%	5.50%
International Equity	18%	5.50%
Domestic Fixed Income	28%	0.75%
Private Markets	12%	6.65%

Sensitivity of the Board's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents the Board's proportionate share of the net pension liability of the PERS as of June 30, 2021 calculated using the discount rate of 7.25%, as well as what the Board's share of the net pension liability would be if it were calculated using a discount rate that is 1 percentage-point lower (6.25%) or 1 percentage-point higher (8.25%) than the current discount rate:

	1% Decrease (6.25%)	Discount Rate (7.25%)	1% Increase (8.25%)
Board's proportionate share of the net pension liability	\$ 355,862	\$ 178,855	\$ 32,626

Pension Plan Fiduciary Net Position

Additional information supporting the Schedule of Employer Allocations and the Schedule of Pension Amounts by Employer is located in the PERS Comprehensive Annual Financial Report (CAFR) available on the PERS website at www.nvpers.org under Quick Links – Publications – Financial Reports.

NOTE 8 - OTHER POST EMPLOYMENT BENEFITS (OPEB)

The Nevada Public Employees Deferred Compensation Program

The Board employees are now eligible to participate in the Nevada Public Employees Deferred Compensation Program. The Program, established in 1977, is a voluntary tax-deferred supplemental retirement plan (IRC 457(b)), which provides participants and their beneficiaries with a supplement to their other retirement savings. The Program operates solely in the interest of the plan participants and beneficiaries. As a voluntary, participant-directed plan, participants bear the ongoing responsibility for deciding the amount of current compensation to defer and the selection of investment allocations and options. There are no employer contributions. No amount of deferred compensation was due to participant accounts by the Board as of June 30, 2022.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 8 - OTHER POST EMPLOYMENT BENEFITS (OPEB) (CONTINUED)

Public Employees Benefits Program of the State of Nevada

General Information About the OPEB Plan

Plan Description

Employees of the Board are provided with OPEB through the Public Employees' Benefits Program (PEBP) - a cost-sharing multiple employer defined benefit OPEB plan administered by the Public Employees' Benefits Program Board (PEBP Board) which was created in 1983 by the Nevada Legislature to administer group health, life and disability insurance for covered employees, both active and retired, of the State, and certain other participating public employers within the State of Nevada. PEBP does not provide for refunds of employee contributions. PEBP issues publicly available financial reports that can be obtained at <https://pebp.state.nv.us>.

The Board is reporting plan information consistent with the PEBP's accounting methods and assumptions as disclosed in the annual report. No information has come to our attention that indicates significant changes to the plan's disclosures.

Benefits Provided

PEBP provides medical, dental, vision, mental health and substance abuse and also offers fully insured HMO products. Long-term disability and life insurance benefits are fully insured by outside carriers.

Contributions

Per NRS 287 contribution requirements of the participating entities and covered employees are established and may be amended by the PEBP Board. The Boards' contractually required contribution for the year ended June 30, 2021, was \$3,026, actuarially determined as an amount that is expected to finance the costs of benefits earned by employees during the year. Employees are not required to contribute to the OPEB plan.

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

At June 30, 2022, the Board reported a liability of \$118,552 for its proportional share of the net OPEB liability. The net OPEB liability was measured as of June 30, 2021, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date. The Board's proportion of the net OPEB liability was based on a projection of the Board's long-term share of contributions to the OPEB plan relative to the projected contributions of all participating state agencies. Actuarially determined, at June 30, 2021, the Board's proportion was 0.0076%.

For the year ended June 30, 2022, the Board recognized OPEB expense of \$5,837. Amounts totaling \$3,070, resulting from Board contributions subsequent to the measurement date will be recognized as a reduction of the net OPEB liability in the year ended June 30, 2022. For the year ended June 30, 2022, the Board contributed \$3,070, under the statutory requirements based upon covered payroll of \$151,603 which equates to 2.17% overall to the plan.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 8 - OTHER POST EMPLOYMENT BENEFITS (OPEB) (CONTINUED)

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB (Continued)

At June 30, 2022, the Board reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of assumptions	\$ 6,616	\$ 514
Liability experience	-	4,280
Asset experience	-	42
Contributions subsequent to the measurement date	3,070	-
	\$ 9,686	\$ 4,836

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year Ending June 30		
2023	\$	386
2024		825
2025		576
2026		(7)
2027		-
2028 and later		-
	\$	1,780

Actuarial Assumptions

The total OPEB liability in the June 30, 2022 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified:

Inflation rate (CPI)		2.50%
Investment rate of return		2.16%
Productivity Pay Increase		0.50%
Promotional and Merit Salary Increase		Regular: 1.00% to 5.90%, depending on service
Healthcare cost trend rates		6.25% for 2021, see report for additional years

Healthy Mortality rates were based on the Public Retirement Plans General Mortality Table weighted by Headcount, projected by MP-2020 for civilians, and on the Public Retirement Plans Safety Mortality Table weighted by Headcount, projected by MP-2020 for officers. Disabled Mortality rates were based on the Public Retirement Plans General Disabled Mortality Table weighted by Headcount, projected by MP-2020 for civilians, and on the Public Retirement Plans Safety Disabled Mortality Table weighted by Headcount, projected by MP-2020 for officers.

The actuarial assumptions used in the June 30, 2022 valuation were based on the results of an actuarial valuation date of January 1, 2020, adjusted by using roll-forward procedures to determine the liability at the measurement date of June 30, 2021.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 8 - OTHER POST EMPLOYMENT BENEFITS (OPEB) (CONTINUED)

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB (Continued)

Discount Rate

The discount rate basis under GASB 75 is required to be consistent with a 20-year Municipal Bond Index. The Bond Buyer General Obligation 20-Bond Municipal Bond Index is used for the determination of the discount rate.

The discount rate as of June 30, 2021, was 2.16%. Additional detail regarding the discount rates as of June 30, 2021, are provided in the "Actuarial Assumptions and Methods" section of the report provided by the PEBP Board.

Sensitivity of the Board's Proportionate Share of the Net OPEB Liability to Changes in the Discount Rate

The following presents the Board's proportionate share of the net OPEB liability, as well as what the Board's proportionate share of the net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage-point higher than the current discount rate:

	1% Decrease (1.16%)	Discount (2.16%)	1% Increase (3.16%)
Net OPEB liability	\$ 130,421	\$ 118,552	\$ 105,557

Sensitivity of the Board's Proportionate Share of the Net OPEB Liability to Changes in the Health Care Cost Trend Rates

The following presents the Board's proportionate share of the net OPEB liability, as well as what the Board's proportionate share of the net OPEB liability would be if it were calculated using health care cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current health care trend rates:

	Health Care Cost Trend Rates		
	1% Decrease (5.25%) Decreasing to 3.5%)	Trend rate (6.25%) Decreasing to 4.5%)	1% Increase (7.25%) Decreasing to 5.5%)
Net OPEB liability	\$ 109,002	\$ 118,552	\$ 126,521

Detailed information about the OPEB plan's fiduciary net position is available in the separately issued PEBP financial report.

NEVADA STATE BOARD OF OPTOMETRY

Notes to Financial Statements

June 30, 2022

NOTE 9 - CONVERSION TO GOVERNMENT-WIDE FINANCIAL STATEMENTS

Adjustments on the face of the financial statements were made to the fund balance sheet and statement of revenue, expenditures, and changes in fund balance in order to reconcile the fund financial statements to the government-wide statements of net assets and activities. These adjustments detail the effect of the capitalization of fixed assets of \$38,226, accumulated depreciation of \$34,108, depreciation expense of \$2,462, the recognition of liabilities for unpaid compensated absences of \$17,567, and corresponding expense of \$17,567, the recording of the Board's proportionate share of deferred outflows of resources of \$178,557, deferred inflows of resources of \$183,228 and net pension liability of \$178,855 relating to the defined benefit pension plan detailed in Note 7, and the recording of the Board's proportionate share of deferred outflows of resources of \$9,686, deferred inflows of resources of \$4,836 and net other post-employment benefits liability of \$118,552 relating to the other post-employment benefits plan detailed in Note 8. The adjustments for pension and OPEB liabilities and deferred outflows/inflows, resulted in additional expenses of \$1,988. The implementation of GASB 87 resulted in the addition of the right of use assets, net of accumulated amortization of \$32,555 and the corresponding liability of \$33,810.

NOTE 10 – RISK MANAGEMENT

On March 12, 2020 The Governor of Nevada declared a state of emergency in response to the global pandemic caused by the coronavirus (COVID-19) infectious disease outbreak. The Governor required closure of non-essential businesses as of March 12, 2020 and did not begin to open again until May 18, 2020. In the Declaration of Emergency Directive 011, the Governor ordered that all professional licensing boards regulating providers of medical services shall temporarily waive certain licensing requirements to allow the practice of currently unlicensed skilled medical professionals during the pendency of the COVID-19 crisis. The waiver and exemption of professional licensing requirements applies to qualified providers of medical services during this declared emergency who currently hold a valid license in good standing in another state, providers of medical services whose licenses currently stand suspended for licensing fee delinquencies, providers of medical services whose licenses currently stand suspended for failure to meet continuing medical education requirements, and providers of medical services who have retired from their practice in any state with their license in good standing. The Board is closely monitoring its operations, liquidity, and capital resources and is actively working to minimize the current and future impact of this unprecedented situation. As of the date of issuance of these financial statements, while the Board's programs have continued operations, the overall current and future impact to the Board as a result of this pandemic is unknown.

NOTE 11 – DISCIPLINARY PROCEEDINGS AND CONTINGENCIES

In connection with the Board's enforcement program as prescribed by statute and regulation, it may seek recovery from licensees for costs incurred related to the investigative and disciplinary actions taken by the Board. Judgments made by the Board included stipulations for cost recoveries; these recovery amounts are presented as part of operating revenue. In addition, the Board is authorized to impose administrative fines. The Board acts as an agent for the State of Nevada with respect to the administrative fine; thus, fines collected by the Board are remitted to the State of Nevada.

Certain claims, suits and complaints associated with the Board's ordinary course of business are pending or may arise. The Board believes the cases are without merit and intends to vigorously defend its positions. Accordingly, these financial statements do not include a liability for amounts that may arise from these cases.

REQUIRED SUPPLEMENTARY INFORMATION

NEVADA STATE BOARD OF OPTOMETRY
Statement of Revenue and Expenditures - Budget and Actual
For the Year Ended June 30, 2022
(With Comparative Totals for The Year Ended June 30, 2021)

	2022			2021
	Original and Final Budget <i>(unaudited)</i>	Actual	Variance Favorable (Unfavorable)	Actual
REVENUES				
License renewal	\$ 368,000	\$ 164,506	\$ (203,494)	\$ 194,791
Application and exam fees	30,000	31,779	1,779	20,479
Fines	-	1,500	1,500	-
Other	82,250	47,906	(34,344)	47,328
Interest income	1,000	165	(835)	328
Total Revenues	<u>481,250</u>	<u>245,856</u>	<u>(235,394)</u>	<u>262,926</u>
EXPENDITURES				
Operations				
Salaries	140,000	151,437	(11,437)	141,342
Operating expense	51,000	52,799	(1,799)	35,630
Employee benefits	49,500	68,585	(19,085)	67,303
Professional services	18,000	32,282	(14,282)	11,505
Travel	9,500	4,894	4,606	3,008
Total Expenditures	<u>268,000</u>	<u>309,997</u>	<u>(41,997)</u>	<u>258,788</u>
Excess (Deficiency) of Revenues Over Expenditures	<u>\$ 213,250</u>	<u>\$ (64,141)</u>	<u>\$ (277,391)</u>	<u>\$ 4,138</u>

NEVADA STATE BOARD OF OPTOMETRY
Schedules of Required Supplementary Information
For the Year Ended June 30, 2022

**SCHEDULE OF THE BOARD'S PROPORTIONATE SHARE OF THE
NET PENSION LIABILITY**
Nevada State Public Employees' Retirement System

<u>Year Ended June 30</u>	<u>Board's proportion of the net pension liability (asset)</u>	<u>Board's proportionate share of the net pension liability (asset)</u>	<u>Board's covered employee payroll</u>	<u>Board's proportionate share of the net pension liability (asset) as a percentage of its covered- employee payroll</u>	<u>Plan fiduciary net position as a percentage of the total pension liability</u>
2014	0.00118%	\$ 122,979	\$ 67,440	182.35%	76.31%
2015	0.00116%	\$ 132,758	\$ 66,737	198.93%	75.13%
2016	0.00074%	\$ 99,946	\$ 43,820	228.08%	72.23%
2017	0.00155%	\$ 205,782	\$ 94,257	218.32%	74.42%
2018	0.00216%	\$ 294,968	\$ 134,723	218.94%	75.24%
2019	0.00169%	\$ 230,546	\$ 110,000	209.59%	76.46%
2020	0.00190%	\$ 264,954	\$ 128,951	205.47%	77.04%
2021	0.00196%	\$ 178,855	\$ 138,366	129.26%	86.51%

See Accompanying Notes to Required Supplementary Information

NEVADA STATE BOARD OF OPTOMETRY
Schedules of Required Supplementary Information
For the Year Ended June 30, 2022

SCHEDULE OF BOARD CONTRIBUTIONS
Nevada State Public Employees' Retirement System

Year Ended June 30	Actuarially Determined Contributions	Contributions in Relation to the Actuarially Determined Contributions	Contribution Deficiency (Excess)	Covered- Employee Payroll	Contributions as a % of Covered Employee Payroll
2014	\$ 17,803	\$ 16,579	\$ 1,224	\$ 67,440	24.58%
2015	\$ 17,397	\$ 16,665	\$ 732	\$ 66,737	24.97%
2016	\$ 6,576	\$ 6,288	\$ 287	\$ 43,820	14.35%
2017	\$ 14,147	\$ 13,980	\$ 170	\$ 94,257	14.83%
2018	\$ 20,297	\$ 20,094	\$ 203	\$ 134,723	14.91%
2019	\$ 16,592	\$ 16,317	\$ 275	\$ 110,000	14.83%
2020	\$ 20,485	\$ 19,857	\$ 628	\$ 128,951	15.40%
2021	\$ 21,977	\$ 20,618	\$ 1,359	\$ 138,366	14.90%

Notes: All contributions shown reflect employer-paid contributions only. Member contributions are excluded. Actuarially determined contributions above are based on actuarially determined contribution rates (employer portion only) from most recent rate-setting year prior to year shown, applied to covered payroll for year shown.

NEVADA STATE BOARD OF OPTOMETRY
Schedules of Required Supplementary Information
For the Year Ended June 30, 2022

**SCHEDULE OF THE BOARD'S PROPORTIONATE SHARE OF THE
NET OPEB LIABILITY**
Nevada State Public Employee's Benefits Program

Year Ended June 30	Board's proportion of the net OPEB liability (asset)	Board's proportionate share of the net OPEB liability (asset)	Board's covered employee payroll	Board's proportionate share of the net OPEB liability (asset) as a percentage of its covered- employee payroll	Plan fiduciary net position as a percentage of the total OPEB liability
2017	0.0030%	39,278	\$ 49,916	78.69%	0.11%
2018	0.0113%	149,378	\$ 213,677	69.91%	0.12%
2019	0.0071%	99,406	\$ 141,393	70.30%	0.02%
2020	0.0072%	108,098	\$ 147,361	73.36%	-0.38%
2021	0.0076%	118,552	\$ 158,861	74.63%	-0.64%

See Accompanying Notes to Required Supplementary Information

NEVADA STATE BOARD OF OPTOMETRY
Schedules of Required Supplementary Information
For the Year Ended June 30, 2022

SCHEDULE OF BOARD CONTRIBUTIONS
Nevada State Public Employee's Benefits Program

Year Ended June 30	Actuarially Determined Contributions	Contributions in Relation to the Actuarially Determined Contributions	Contribution Deficiency (Excess)	Covered- Employee Payroll	Contributions as a % of Covered Employee Payroll
2017	\$ 1,142	\$ 1,141	\$ 1	\$ 49,916	2.35%
2018	\$ 4,487	\$ 4,483	\$ 5	\$ 213,677	2.10%
2019	\$ 3,017	\$ 2,907	\$ 110	\$ 141,393	2.06%
2020	\$ 3,598	\$ 3,159	\$ 438	\$ 147,361	2.14%
2021	\$ 3,358	\$ 3,007	\$ 351	\$ 158,861	1.89%

See Accompanying Notes to Required Supplementary Information

NEVADA STATE BOARD OF OPTOMETRY
Notes to Required Supplementary Information
For the Year Ended June 30, 2022

Pension Plan

Changes in assumptions

There were no changes in assumptions that affected the measurement of the total pension liability during the measurement period.

Benefit changes

There were no changes in benefit terms that affected the measurement of the total pension liability during the measurement period.

Other Post-Employment Benefits (OPEB)

Changes in assumptions

There were no changes in assumptions that affected the measurement of the total OPEB liability during the measurement period.

Benefit changes

There were no changes in benefit terms that affected the measurement of the total OPEB liability during the measurement period.

REPORT ON INTERNAL CONTROL AND COMPLIANCE

Casey Neilson, Inc.
Accountants and Advisors

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors of
Nevada State Board of Optometry
Carson City, Nevada

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities and the major fund of the Nevada State Board of Optometry (the "Board") as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements, and have issued our report thereon dated November 19, 2022.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Board's internal control over financial reporting ("internal control") as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, we do not express an opinion on the effectiveness of the Board's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements, on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We identified certain deficiencies in internal control, described in the accompanying schedule of findings and responses as items 2021-001 that we consider to be significant deficiencies.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no

instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Board's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* and in considering the Board's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in cursive script that reads "Casey Nalon".

Reno, Nevada
November 19, 2022

NEVADA STATE BOARD OF OPTOMETRY

Schedule of Findings and Responses

For the Year Ended June 30, 2022

Financial Statement Findings

2022-001: Financial Close and Reporting – Significant Deficiency

<i>Criteria:</i>	Management is responsible for establishing and maintaining an effective system of internal control over financial reporting. One of the key components of an effective system of internal control over financial reporting is having is ensuring that all expenditures of the Board are accounted for in the correct period in accordance with generally accepted accounting principles (GAAP) and paid timely.
<i>Condition:</i>	We proposed several audit adjustments for accruals of expenditures at year end. In addition, certain payments for health and retirement benefits were not made in a timely manner. The absence of controls over the recording of expenditures increases the possibility that a misstatement of the financial statements could occur and not be prevented or detected and corrected in a timely manner.
<i>Cause:</i>	Procedures have not been implemented to ensure that expenditures are recorded from invoices rather than from cleared transactions. Additionally, under the current accounting system there is no ability to determine if invoices remain unpaid or if checks have not cleared the bank.
<i>Effect:</i>	Financial information prepared by the Board may not comply with generally accepted accounting principles.
<i>Recommendation:</i>	We recommend the Board implement procedures to provide for internal controls recording expenditures and disbursements.
Views of Responsible Officials:	Nevada State Board of Optometry agrees with this finding.

AUDITOR'S COMMENTS

Casey Neilson, Inc.
Accountants and Advisors

November 19, 2022

To the Board Members and Management
Nevada State Board of Optometry
Carson City, Nevada

We have audited the financial statements of the governmental activities and major fund of the Nevada State Board of Optometry as of and for the year ended June 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 5, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Nevada State Board of Optometry are described in Note 1 to the financial statements. No other new accounting policies were adopted other than GASB 87 - leases and the application of existing policies was not changed during 2022. We noted no transactions entered into by the Nevada State Board of Optometry during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive accounting estimates affecting the financial statements are the estimates relating to pension and OPEB information and the related assets and liabilities.

Management's estimate of the pension and OPEB information is based on the actuarial report provided by the State of Nevada. We evaluated the key factors and assumptions used to develop the pension and OPEB information and determined that it is reasonable in relation to the basic financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the Nevada State Board of Optometry's financial statements relate to pension and OPEB information in Notes 7 and 8.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of

management. Management has corrected all such misstatements.

The following misstatements that we identified as a result of our audit procedures were brought to the attention of, and corrected by, management:

- Record deferred revenues - \$107,223
- Record unrecorded expenditures - \$215,758
- Record receivables - \$3,360
- Record prepaid expenses \$6,655

The following adjustments were proposed to report the changes for the government-wide financial statements:

- Record change in compensated absences - \$375
- Record depreciation/amortization expense - \$2,462
- Report change in pension accounts: deferred outflows, deferred inflows and net pension liability - \$7,632
- Report change in OPEB accounts: deferred outflows, deferred inflows and net OPEB liability - \$5,837
- Record opening balance adjustments for leases - \$898
- Record change in right of use assets and lease liabilities - \$427

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain written representations from management, which are included in the management representation letter dated November 19, 2022.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Nevada State Board of Optometry's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Nevada State Board of Optometry's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to management's discussion and analysis, general fund budgetary comparison information, pension information and other postemployment benefit information, which are required supplementary information (RSI) that supplements the basic financial 2021 statements. Our

procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Restriction on Use

This report is intended solely for the information and use of the governing body and management of Nevada State Board of Optometry and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

A handwritten signature in cursive script that reads "Casey Nalon".

Reno, Nevada
November 19, 2022

KEY TERMINOLOGY

Many definitions of telehealth, telemedicine and related concepts exist. The following terms and definitions are accepted for the purposes of this document:

Asynchronous telemedicine: This type of care is not provided in real time. Clinical data is collected at the site of service and transmitted for review by a Doctor.

Direct-to-patient applications: direct-to-patient eye and vision health–related applications (including online vision tests and other mobile eye and vision-related applications) [May include wording: treatment, including issuing a prescription based solely on an online questionnaire, lensometry, and/or auto-refraction.] Currently, these applications are producing a prescription for glasses or contacts without providing a comprehensive eye examination. Elements are missing from the gold-standard of ocular examinations. For a comprehensive examination, a medical history and ocular history of both the patient and family, medications and allergies, documenting the patient’s current primary care physician, neuro/psych orientation, eye pressure, visual field, versions, a complete pupillary assessment (including presence of an afferent pupillary defect), eye alignment, visual acuities, auto-refraction or retinoscopy, keratometry, subjective refraction, anterior segment examination (with slit beam and magnification as through a biomicroscope slit lamp) and posterior segment examination. Often, these applications merely offer a visual acuity check with a current prescription, and have an off-site asynchronous doctor sign off on a duplication of that prior prescription.

Doctor-Patient Relationship: A consensual relationship in which the patient knowingly seeks the doctor’s assistance and in which the doctor knowingly accepts the person as a patient. The doctor-patient relationship represents a fiduciary relationship in which, by entering into the relationship, the doctor agrees to respect the patient’s autonomy, maintain confidentiality, explain treatment options, obtain informed consent, adhere to the standard of care, and commit not to abandon the patient without giving him or her adequate time to find a new doctor.

Doctor-Remote Examination: A specific version of telemedicine where the patient still is in-person at the clinical office, but the doctor is not in the same physical location as the patient for the duration of the examination. A trained technician is gathering clinical data and imaging. The doctor performs the subjective refraction (through an electronic phoropter controlled remotely by the doctor), examination, evaluation, and diagnosis, and issuing prescriptions for glasses or contacts lenses, or medications or devices as needed. The doctor may be in an adjacent room, or a remote site. The patient can interact with the doctor in real-time via video conferencing.

Originating site: The location where a patient receives health care services through a telecommunications system.

Remote patient monitoring: This type of care refers to personal health and medical data collected within the context of an existing doctor-patient relationship from an individual in one location via electronic collection technologies, which is transmitted to a doctor in a different location for use in continued care coordination and related support.

Distant or Remote Site: The location where a doctor provides health care services through a telecommunications system.

Synchronous telemedicine: This type of care uses videoconferencing as a core technology. Participants are separated by distance but interact in real-time.

Telehealth: The Health Resources Services Administration (HRSA) defines telehealth as “the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration. Technologies include videoconferencing, the internet, store-and-forward imaging, streaming media, and terrestrial and wireless communications.”

Telemedicine: A more narrow definition than telehealth, telemedicine involves the clinical examination, diagnosis and treatment of the patient by the doctor. The Office of the National Coordinator for Health Information Technology notes, “telemedicine refers specifically to remote clinical services, telehealth can refer to remote non-clinical services, such as clinician training, administrative meetings, and continuing medical education, in addition to clinical services.”

Key Points of Optometry Telehealth and Telemedicine in the State of Nevada:

The Board supports the appropriate use of telehealth and telemedicine in optometry to access high-value, high-quality eye, health, and vision care. Telehealth and telemedicine in optometry can serve to expand patient access to care, improve coordination of care, and enhance communication among all health care practitioners involved in the care of a patient.

In any scenario, the optometrist providing care to a Nevada resident must be a Nevada licensed optometrist, regardless of which entity or employer the optometrist is providing care through.

- A **new** doctor-patient relationship may be established via synchronous telemedicine with a comprehensive examination provided in a Doctor-Remote Examination, to include medical history and ocular history of both the patient and family, medications and allergies, documenting the patient’s current primary care physician, neuro/psych orientation, eye pressure, visual field, versions, a complete pupillary assessment (including presence of an afferent pupillary defect), eye alignment, visual acuities, auto-refraction or retinoscopy, keratometry, subjective refraction, anterior segment examination (with slit beam and magnification as through a biomicroscope slit lamp) and posterior segment examination. All these elements must be present. A patient or insurer may not have the patient agree to exclude any portion of a comprehensive examination. A referral for in-person examination needs to be made when telemedicine is not appropriate for the patient, their symptoms or concerns, and/or their examination findings.
 - A **new** doctor-patient relationship may be established via synchronous telemedicine for a non-comprehensive examination when the Doctor of Optometry performing the telemedicine examination has access to the comprehensive eye examination performed in the last two years by the patient’s existing Doctor of Optometry or Ophthalmology.
 - Limitations on the age and pre-existing medical conditions for patients seeking optometric telemedicine examinations will be outlined in Regulations (NRS 636) more completely, but for example children & the elderly, or patients with diabetes or hypertension.
- Synchronous or asynchronous telehealth and telemedicine may be appropriate to **continue an established** doctor-patient relationship when a comprehensive examination was completed

within the last two years. This might include a red-eye examination, the extension of a prescription, remote patient monitoring, or other ocular examination not fitting the standard 'comprehensive' examination criteria.

- Asynchronous telehealth or telemedicine may be performed where no prior doctor-patient relationship exists, when the patient is under the care of another optometrist, ophthalmologist, or primary care physician (MD or DO) to provide a **consultation**. The consultative report back to the referring provider must indicate whether a comprehensive eye examination is needed or not, and must refrain from providing a diagnosis.

Discussion:

Important criteria must be met to ensure that telehealth and telemedicine in optometry meets the existing standard of care, is of high-quality, contributes to care coordination, protects and promotes the doctor-patient relationship, complies with state licensure and other legal requirements, maintains patient choice and transparency, and protects patient privacy.

■ The standard of care for eye, health, and vision services must remain the same regardless of whether services are provided in-person, remotely via telehealth or telemedicine, or through any combination thereof. Doctors may not waive this obligation or require patients to waive their right to receive the standard of care. Further, a payor may not require either the doctor or patient waive the right to receive the standard of care. Treatment, including issuing a prescription based solely on an online questionnaire, lensometry, and/or auto-refraction, does not constitute an acceptable standard of care.

■ Fundamental elements of the doctor-patient relationship must be established and maintained. Doctors must act as advocates on behalf of the patient and are obligated to discuss necessary and appropriate treatment alternatives, and in good faith to fully inform the patient of all treatment options.

■ In-person care, provided by a Doctor of Optometry, is the gold standard for the delivery of a comprehensive eye exam and for the prescription of glasses or contact lenses.

■ In an asynchronous telemedicine, 'store-and-forward' practice, a history and a set of images are collected at the point of service and are transmitted for review by an eye doctor. In turn, the eye doctor provides a *consultative* report back to the referring provider at the point of service. The Nevada licensed optometrist may make or not make a recommendation to seek a comprehensive eye examination, and must not make a diagnosis based on consultative examinations. For Asynchronous, store-and-forward eye and vision telehealth or telemedicine services where a referring provider ultimately manages the patient (including prescriptions), the consulting eye doctor is not required to have a pre-existing, valid doctor-patient relationship.

■ The use of asynchronous remote patient monitoring may be appropriate for data acquisition, patient communication, confirmation of expected therapeutic results, confirmation of stability/or homeostasis, and assessing changes in previously diagnosed chronic conditions. A prior doctor-patient relationship should exist, where a comprehensive eye examination was performed by the doctor monitoring the patient within the last 2 years.

■ Telemedicine in optometry should not be used to replace partial or entire categories of care available in-person where the doctor-patient relationship is strengthened through personal face-to-face interactions.

■ Doctor of Optometry delivering telemedicine in Nevada must be licensed in Nevada, and the patient receiving care must be located in Nevada (with exceptions noted below). Telemedicine in optometry must be provided consistent with and in compliance with existing laws and regulations of practice in Nevada. The doctor must abide by Nevada's licensure laws and regulations. If a prior optometrist-patient relationship was created with a comprehensive examination within the last 2 years, then the Nevada-licensed OD may perform telemedicine care to a patient not located in the State of Nevada. For example, if the patient is traveling or has recently moved and needs eye-related care that would be appropriate for a telemedicine format. The patient may still be constrained by applicable laws for the jurisdiction they are currently located in - ie. California may have a current law that patients located in CA may NOT receive telemedicine from a doctor located across state lines, or by a doctor who is not California licensed.

■ Patients must be made aware of the limitations of telemedicine/telehealth in optometry - it may not be sufficient to diagnose or treat every condition every time. Doctor of Optometry delivering eye, health, and vision services via telemedicine in optometry must, when clinically appropriate, promptly provide in-person care or refer the patient for an in-person visit with a doctor of optometry or refer to another qualified physician for diagnosis and/or care. Referrals must adhere to the same standard of care with regard to the timeframe for appropriate referral.

■ The patient's relevant health history must be collected as part of telemedicine in optometry. Appropriate health records should be available to the Doctor of Optometry prior to or at the time of the telemedicine encounter. The provision of eye, health, and vision services delivered by telemedicine in optometry must be properly documented. These health records should be available electronically or physically to the patient.

■ In the absence of an existing doctor-patient relationship, where the patient has not received a comprehensive eye examination from the same doctor of optometry within the last 2 years, services which, remote or otherwise, offer a prescription for glasses or contact lenses without a comprehensive eye exam, including all the elements of a comprehensive exam as outlined in NAC 636.190, is prohibited. Any Doctor of Optometry who offers a prescription under such circumstances would be in violation of Nevada State Law and prosecuted as seen fit by the Nevada Board of Optometry.

ORGANIZATION, TRAINING, AND IMPLEMENTATION

Patients must have access, in advance, to the licensure of the clinician providing services. Each organization should also maintain documentation on how the program protects patient privacy, assesses patient triage and safety, promotes continuity of care, and facilitates care coordination for patients who may request or require subsequent in-person evaluations or procedures.

Practitioners who offer remote monitoring services are responsible to assure devices are being utilized in the manner for which they were designed and are appropriate to be used to monitor patients remotely. The risks and benefits of medical devices should be properly and thoroughly weighed through science and evidence to ensure efficacy and quality and to protect the public health.

Organizations and clinicians providing telemedicine in optometry must have protocols for local referrals (in the patient's geographic area) for urgent and emergency services.

THE DOCTOR-PATIENT RELATIONSHIP AND THE USE OF DIRECT-TO-PATIENT TECHNOLOGY

Use of direct-to-patient eye and vision health-related applications (including online vision tests and other mobile eye and vision-related applications) does not constitute telemedicine in optometry unless used under the direction of a Nevada-licensed Doctor of Optometry who has a prior doctor-patient relationship with a comprehensive eye examination within the last two-year time frame. The only acceptable exceptions to this 2-year doctor patient relationship would be:

- Before providing services, establish communication with the patient's existing eye care team, (the patient's Doctor of Optometry or ophthalmologist who has seen the patient for a comprehensive eye exam in the last 2 years), to document eye health, vision, and systemic history, past comprehensive eye and other examinations, and any related patient diagnosis. A unfulfilled request does not satisfy this requirement.

The use of direct-to-patient eye and vision-related applications, including online vision tests and other mobile eye and vision-related applications, raises several additional issues:

- Direct-to-patient eye and vision-related applications, based on current technologies and uses, cannot replace or replicate a comprehensive eye exam provided by a Doctor of Optometry or Ophthalmology.

- Direct-to-patient eye and vision-related applications may provide data related to elements of a comprehensive eye exam and the fragmentation of a comprehensive eye exam into components delivered independently is deleterious and deceptive to patients. A safe and accurate prescription for glasses or contact lenses can only be derived through the completion of a comprehensive eye examination. Many vendors deceptively market that they will create a prescription for glasses or contacts without being transparent that they are simply duplicating a prior prescription from a comprehensive examination. Duplication or extension of a prescription by a doctor who isn't the original prescribing doctor who provided a comprehensive eye examination within the 2 year time frame and who knows any systemic or ocular eye conditions by performing that comprehensive examination is prohibited.

- The eye health and patient health portion of a comprehensive eye examination or the refractive portion of a comprehensive eye exam, based on current technologies and uses, cannot be replaced or replicated by direct-to-patient eye and vision-related applications.

- Screening for eye health issues using technology for direct-to-patient eye and vision-related applications, based on current technologies and uses, should not be used to diagnose eye, health, and vision conditions or as a replacement or replication for a comprehensive eye exam. Screenings with high sensitivity and specificity may help identify risk, which is a risk that only a comprehensive eye examination can begin to evaluate, mitigate, and/or address.

ADMINISTRATIVE AND LEGAL CONSIDERATIONS

Credentialing and Privileging: The Joint Commission (TJC) has implemented standards for telehealth/telemedicine. Under the TJC telemedicine standards, practitioners who render care using live interactive

systems are subject to credentialing and privileging at the distant site when providing direct care to the patient. The originating site may use the credentialing and privileging information from the distant site when certain requirements are met. Doctors who render services using store-and-forward systems are viewed by TJC as “consultants” and are not required to be credentialed at the originating site.

The Nevada licensed optometrist providing telehealth or telemedicine services to Nevada residents (or out-of-state residents, as provided for above) must have a primary Nevada location registered with the Nevada Board of Optometry, and an additional license location where the patient receives comprehensive eye examinations (the Originating site) if this is different than the primary location.

All provisions regarding licensing and business relationships between medical organizations and ophthalmological physicians and optometrists already established in NRS 636 would still apply to any care, service, or consultation provided by the optometrist.

Privacy and Confidentiality: Practitioners who provide eye and vision telehealth or telemedicine services should ensure compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended, and its implementing regulations. The handling of records, faxes, and communications is subject to the same HIPAA standards as those that apply in a standard office environment. For asynchronous telehealth or telemedicine uses, HIPAA compliance largely relies on the originating site informing patients that their information will be traveling by electronic means to another site for consultation. This should be noted in the consent form at the point of service, and the HIPAA notice of privacy practices. In addition, all electronic transmissions should be encrypted and reasonable care should be taken to authenticate those clinicians who have electronic access to the records.

Licensing: Interactive telemedicine requires the equivalent of direct patient contact. As stated earlier, telemedicine may be provided by a Nevada licensed optometrist across state lines, as long as 1) an in-person examination was provided by the Nevada licensed optometrist within the last 2 years, and 2) there is no law in the jurisdiction where the patient is located prohibiting the rendering optometrist from being in a different state and/or not holding a license in the patient’s jurisdiction. For store-and-forward applications, the Nevada Board of Optometry does not require telemedicine clinicians to be licensed in the same state in which the patient resides. Doctor of Optometry who wish to provide store-and-forward consultations across state lines should limit such consultations to originating states in which they are permitted, by law, to provide care.

For consideration of NSBO Staff compensation adjustments 12/2022

PERIOD	COLA	MERIT	BONUS	Hourly wage	ANNUALIZED FTE EARNINGS	3/4 FTE (actual)	CHANGE	NOTES
Nancy Padilla								
				\$ 23.85	\$ 49,608.00	\$ 37,206.00		hired 1/20/2020
2020-07-01	1%	2.0%		\$ 24.56	\$ 51,084.80	\$ 38,313.60	\$ 2,980.60	2% Merit + 1% COLA
2021-01-01	0%	2.0%		\$ 25.05	\$ 52,104.00	\$ 39,078.00	\$ 764.40	2% Merit
2022-01-01	0%	0.0%	\$ 2,000.00		\$ 53,604.80	\$ 40,203.60	\$ 2,000.00	Bonus rather than % increase, \$2000 - 11/21 minutes
2022-07-01	1%	0.0%		\$ 25.30	\$ 52,624.00	\$ 39,468.00	\$ 390.00	1% COLA on 1/21 hourly wages
2023-01-01							?	
Caren C. Jenkins								
2017-07-22	0%	0.0%			\$ 88,000.00		\$ -	hired 7/22/2016
2018-07-01	0%	0.0%						no change
2019-07-01	3%	5.0%			\$ 95,040.00		\$ 7,040.00	01/19 Approved COLA, Gov. issued 0%, 7/19 Board granted 5% Merit + 3% COLA
2020-07-01	1%	2.5%			\$ 98,366.46		\$ 3,326.46	Board approved 2.5% Merit + COLA. Gov. issued 1%
2021-07-01	0%	0.0%					\$ -	COLA Gov. issued 0%
2022-01-01	0%	0.0%	\$ 5,000.00		\$ 104,350.06		\$ 5,000.00	Bonus rather than % increase, \$5000 - 11/21 minutes
2022-07-01	1%	0.0%			\$ 99,350.12		\$ 993.50	Board granted no merit (at top end of ED cost/licensee) + COLA granted by Gov. @ 1% of 7/21 base salary
2023-01-01							?	
AS OF 12/22								AS OF 6/30/2022
Heritage Bank			\$ 200,445.00					\$200,341.49 - Heritage Bank Reserves
Nevada State Bank			\$ 20,330.00					\$221,910.11 - CNB Operating Reserves(includes license fees carryover 7/22-2/24)
Nevada State Bank			\$ 193,645.00					\$193,588.60 - NSB Reserves
Chase Bank			\$ -	holding account for 2024 renewal income				n/a
B of A Operating			\$ 93,820.00					\$ 6,977.18 Bank of America Operating Account
TOTAL RESOURCES 12/22			\$ 508,240.00					\$622,816.00 beginning total resources 7/1/22
FY BUDGET EXP. REMAINING			\$ 140,000.00	(estimated)				
Expected FY 23 End balance			\$ 368,240.00	(Desired ~ 1 yr op resrv)				
2021-22 expenditures			\$ 428,426.00	(includes rebates. \$295,500 budgeted annual exp.)				
2020-21 expenditures			\$ 285,000.00					

**MINUTES of the telephonic Board Meeting
Tuesday, August 11, 2020, at 12 Noon**

6. *For Possible Action Discussion and potential adoption of Optometry Board direction and goals. Dr. Young complimented the Executive Director, Caren Jenkins for her diligence and success generally and especially for helping the Board to achieve its goals with the adoption of AB77 and revision of the regulations. Dr. Young then asked each Board member to present long- and short-term ideas for the agency and Executive Director to focus on in the future.

Dr. Smith:

- posting of meeting minutes and posting of orders of discipline promptly to avoid the problems experienced by the Dental Board. Board Counsel Asheesh Bhalla indicated that meeting minutes should be posted within 30 days of the meeting.
- making renewals more seamless
- continuing to review inappropriate prescribing by optometrists.
- move into more of an enforcement rather than education role after the CE presentation of new Nevada laws.
- reduction in the 2-year renewal fees considering that it should cost less to process renewals biennially.

Dr. Austin:

- offer a CE on a regular basis (maybe every 6 months).
- analyze Complaints received to identify any patterns.
- provide good public access for complaints, such as allowing “older people” to submit an oral complaint.
- add definition of Optometrist, Ophthalmologist and Optician roles with links to their appropriate Boards on our website
- improve our Board mission statement.
- review our laws one year before each Legislative session for needed changes or additions.
- review renewal fees and budget to consider possible fee reduction.

Mr. Johnson:

- possible reduction of licensing fees
- assure that our Board acts in the best interest of public health, ensuring optometry does not become a cartel in the state.
- identify and mandate 2-year eyeglass prescriptions for patients aged 18-65 unless a medical reason supports a shorter expiration date. Other members suggested different age ranges in discussion.

Dr. Young:

- investigate telehealth for future guidelines.
- review options if the state Boards consolidate under one umbrella
- send an automatic email receipt as a confirmation of submittal for applications, complaints, or contact requests.
- take action to enforce optometry statutes
- review all optometric practices to ensure ownership is by optometrists only.