

| IDENTIFYING THE RULE AND REGULATION | | | | | | | PURPOSE | NECESSITY | | | TIES TO FEDERAL PROGRAMS | | | | POTENTIAL FOR REVOCATION | | | ADDITIONAL INFORMATION | |
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| 65-4-1 | Article 4.-General Provisions | Definitions | New | May 18, 1992 | 74-1504(a)(6) | 65-1501, K.S.A. 65-1501a, K.S.A. 1991 Supp. 65-1502, K.S.A. 65-1504b and K.S.A. 65-1506 | To define key terms related to optometry practices, ensuring clarity and consistency in the application of optometric services, advertising, examination procedures, and licensing requirements for practitioners in Kansas. This helps protect public health and ensures that optometric services are delivered safely and effectively. | necessary | Yes | No | No | No | | No | | Revoking K.A.R. 65-4-1 would likely lead to confusion and inconsistency in enforcement of Optometry regulations, and negatively impact optometric practices by weakening professional standards, and reducing consumer protection in Kansas. It likely would create legal ambiguities and complicate the Board's ability to regulate and enforce standards, resulting in varied quality of optometric care for Kansans. | In active use | N/A | |
| 65-4-2 | Article 4.-General Provisions | Hearings before the board | New | May 18, 1992 | 74-1504(a)(6) | 74-1504 | To ensure that hearings before the Kansas board of examiners in optometry are conducted fairly and consistently, providing clear procedures for handling licensure issues, enforcement actions, and other matters, in reference to KAPA. The regulation provides Board discretion based on the complexity and nature of the case, safeguarding the rights of individuals involved. | necessary | Yes | No | No | No | | No | | Revoking K.A.R. 65-4-2 would create uncertainty in the procedural conduct of the Kansas Board of Examiners in Optometry, potentially resulting in confusion in hearing procedures, reducing transparency and fairness in adjudicative actions, impacting both professionals and patients in Kansas. | In active use | N/A | |
| 65-4-3 | Article 4.-General Provisions | Fees | Amended | March 24, 2023 | 74-1504 | 65-1505 and K.S.A. 65-1509 | To outline the fees associated with obtaining, renewing, and managing optometry licenses in Kansas. The statutory scheme empowers the Board to set fees by regulation. The regulation ensures transparency and consistency in the financial aspects of licensure, supporting the administrative functions of the Board and maintaining professional standards within the field. | necessary | Yes | No | No | No | | No | | Revoking K.A.R. 65-4-3 would severely hinder the Board by depriving it of the essential funds needed to effectively oversee and regulate the practice of optometry throughout the state. | In active use | N/A | |
| 65-4-4 | Article 4.-General Provisions | Notice to board | Amended | Nov. 17, 2023 | 74-1504(a)(6) | 65-1509 | To ensure that the Board is promptly informed of significant events and changes related to licensed optometrists, and to further enable the Board to take action where necessary to protect the public. | necessary | Yes | No | No | No | | No | | Revoking K.A.R. 65-4-4 would undermine the Board's ability to monitor and address events indicating licensee misconduct. It would reduce transparency, impede timely enforcement actions, and weaken oversight, potentially compromising public safety and trust in optometric practices within the state. | In active use | N/A | |
| 65-4-5 | Article 4.-General Provisions | Professional judgment | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1516 | To protect the integrity and independence of professional optometric judgment, by defining situations where a licensee has been deemed to allow an unlicensed person to improperly interfere with the licensee's professional judgment. | necessary | Yes | No | No | No | | No | | Revoking K.A.R. 65-4-5 could undermine patient care and optometric practice and standards in this state, and could lead to compromised patient care, unethical practices, and reduced trust in optometric services, ultimately affecting the quality and reliability of eye care for Kansans. | In active use | N/A | |

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| 65-5-1 | Article 5.-Licenses | Qualifications for licensure by examination | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1505 | To ensure that individuals applying for licensure by examination to practice optometry meet standardized qualifications, including carrying out the directive of KSA 65-1505(a) to set qualifications and requirements for licensure. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-1 would remove standardization of qualifications for optometry licensure in Kansas, and requirements to obtain said licensure. Removal would further create the potential for non-uniform decisions regarding licensure, and undermine the quality of optometric care and public protection. | In active use | N/A | |
| 65-5-2 | Article 5.-Licenses | Application for licensure by examination | New | Feb. 21, 2025 | 74-1504(a)(6) | 1991 Supp. 65-1505 | Works in conjunction with KAR 65-5-1 to set the requirements for an applicant for licensure by examination to submit to the Board to demonstrate their qualifications to obtain licensure and sit for the licensing examination. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-2 would have the same result as revoking KAR 65-5-1, resulting in non-uniform and inconsistent decisions, and undermine the quality of optometric care and public protection. | In active use | N/A | |
| 65-5-3 | Article 5.-Licenses | Examinations | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1505 | To ensure that individuals seeking licensure to practice optometry in the state possess the necessary knowledge, skills, and moral qualifications. The regulation further puts applicants on notice regarding the nature of the examinations and the substantive areas which will be included in the Board's exam. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-3 could affect standards for optometry examinations in Kansas, leading to inconsistent evaluations, and ultimately have adverse outcomes on patient care, and reduced trust in optometric services, ultimately impacting public health and safety in the state. | In active use | N/A | |
| 65-5-4 | Article 5.-Licenses | Approved schools or colleges of optometry | Amended | Nov. 17, 2023 | 74-1504(a)(6) and K.S.A. 65-1505 | 65-1505 | KSA 65-1505(a)(2) directs the Board to approve schools and colleges of optometry. The regulation sets the standard of accreditation and ensures that optometrists in Kansas receive their education from institutions that meet high standards of quality. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-4 would lower the standards for optometry education in Kansas by allowing graduates from non-accredited programs to practice, and/or creating inconsistent decisions from the Board regarding what schools and colleges are approved. This could result in a decrease in the quality of optometric care, endangering patient health and safety, and diminishing public trust in optometric services within the state. | In active use | N/A | |
| 65-5-5 | Article 5.-Licenses | Revoked | | | | | | | | | | | | | | | | | |
| 65-5-6 | Article 5.-Licenses | Continuing education | Amended | August 30, 2024 | 74-1504(a)(6) | 65-1509a | KSA 65-1509a directs the Board to approve condition education upon renewal of a license. The regulation ensures that licensed optometrists continue to develop their professional skills and knowledge throughout their careers, and provides licensees notice of continuing education which will meet the requirements for approval. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-6 would remove the standards for approval of continuing education as required by KSA 65-1509a, and potentially reduce the quality of optometric care by removing standards for sufficient continuing education. This potentially could result in outdated knowledge and skills among practitioners, compromising patient care and safety, and ultimately eroding public trust in optometric services in Kansas | In active use | N/A | |

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| 65-5-7 | Article 5.-Licenses | Reciprocal licenses | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1505 | Provides further clarification regarding the requirements to seek and obtain reciprocal licensure in Kansas, providing a pathway for optometrists licensed in other states to obtain a license to practice in Kansas through reciprocity. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-7 would remove clarification and notice of the process and requirements of reciprocal licensure, making it more difficult for optometrists from other states to obtain licensure in Kansas or resulting in consistent decisions on licensure. This could limit the availability of qualified practitioners, reduce access to optometric care for Kansans, and create barriers for experienced optometrists seeking to move to Kansas. | In active use | N/A | |
| 65-5-8 | Article 5.-Licenses | Reinstatement | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1509 | To provide a structured process for the reinstatement of a revoked optometry license, ensuring that only individuals who have fully rehabilitated and demonstrated their suitability are allowed to resume practice. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-8 would potentially impair the Kansas Board of Examiners in Optometry's ability to ensure that individuals seeking reinstatement of a revoked license are fully rehabilitated, while removing notice and standards to applicants for reinstatement. This could lead to inconsistent decisions from the Board on reinstatement, compromised professional standards and public safety, reducing trust in the optometry profession in Kansas | In active use | N/A | |
| 65-5-9 | Article 5.-Licenses | Suspension, termination or denial of licensee's authority to practice when found in contempt of court pursuant to subsection (f) of K | New | Feb. 28, 1997 | 74-1504(a)(6) | 1995 Supp. 74-146 and K.S.A. 1995 Supp. 74-147 | To enforce the accountability and compliance of optometrists regarding court orders related to child support. KSA 74-146 mandates that all licensing bodies develop procedures for suspension, termination, nonrenewal or denial of a licensee when a notice of contempt pursuant to KSA 74-147 is received by the Board. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-5-9 would impede the Board's compliance with KSA 74-146 and -147 and the Board's ability to take action against licensees in contempt of court for child support proceedings. This would weaken accountability, reduce compliance with court orders as contemplated by the public policy established by KSA 74-146 and -147. | In active use | N/A | |
| 65-5-10 | Article 5.-Licenses | Revoked | | | | | | | | | | | | | | | | | |
| 65-5-11 | Article 5.-Licenses | Revoked | | | | | | | | | | | | | | | | | |
| 65-5-12 | Article 5.-Licenses | Reinstatement of license | New | Dec. 3, 2004 | 74-1504 | 2003 Supp. 65-1509 | To ensure that optometrists whose licenses have been canceled for more than 12 months are still competent to practice safely and effectively. By requiring these applicants to pass the board's examination or any other specified competency exam. | could be revoked | Yes | No | No | No | | No | | Revoking 65-5-12 would allow optometrists whose licenses were canceled for over 12 months to bypass competency examinations for reinstatement. This could lead to unqualified practitioners returning to practice, compromising the quality of eye care and patient safety in Kansas. | In active use | N/A | NOTE: THIS REG APPEARS TO BE DUPLICATIVE OF THE STATUTE. I'M NOT SURE WHAT PURPOSE IT SERVES INDEPENDENT OF THE STATUTE. |

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| 65-7-7 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-8 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-9 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-10 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-11 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-12 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-13 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-7-14 | Article 7.-Code of Ethics (not in active use) | Revoked | | | | | | | | | | | | | | | | | |
| 65-8-1 | Article 8.-Minimum Standards for Ophthalmic Services | Examination and adaptation procedures | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1501 | To establish minimum standards for examination and adaptation procedures in optometry, including those necessary to determine a prescription for corrective lenses, a contact lens evaluation, including a contact lens adaptation to determine a patient's first contact lens prescription. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-8-1 would create uncertainty regarding required minimum standards in such evaluations and potentially lower the standards for optometric examinations in Kansas, leading to inconsistent and potentially inadequate eye care. This could result in misdiagnoses, improper prescriptions, and compromised patient safety, ultimately affecting the quality of vision care for Kansans. | In active use | N/A | |
| 65-8-2 | Article 8.-Minimum Standards for Ophthalmic Services | Instruments | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1501 | To ensure the reliability and accuracy of optometric examinations and procedures. KAR 65-8-2 works along with KAR 65-8-1 to address minimum evaluation standards, including the use of instrumentation and methods to produce accurate and reliable findings, the requirement to record each procedure performed and use of standardized measuring units and nomenclature. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-8-2 could impact the minimum standards required for each examination, leading to inconsistency in the use of instruments and recording of optometric procedures in Kansas. This could have the same results as revoking KAR 65-8-1, including inaccurate diagnoses, compromised patient care, and reduced trust in optometric services, ultimately affecting the quality of eye care for Kansans. | In active use | N/A | |
| 65-8-3 | Article 8.-Minimum Standards for Ophthalmic Services | Records | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1502 | To ensure that comprehensive and standardized patient records are maintained by licensed optometrists. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-8-3 would eliminate the standard required under the law for patient records and could lead to inconsistent and incomplete patient records in Kansas. This could compromise patient care, hinder continuity of care, and reduce the ability of patients and optometrists to track patient history effectively, ultimately affecting the quality of eye care and patient safety | In active use | N/A | |

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| 65-8-4 | Article 8.-Minimum Standards for Ophthalmic Services | Content of prescription | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1501 | To ensure that prescriptions for ophthalmic lenses and topical pharmaceutical drugs are accurate, detailed, and standardized, and further, to ensure that prescriptions comply with the requirements of K.S.A. 65-1501a(f) and (g), and can be lawfully filled by opticians. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-8-4 could result in inconsistencies and inaccuracies in prescriptions for ophthalmic lenses in Kansas. This could lead to improper eyewear and contact lens fittings, compromising patient vision care, safety, and overall trust in optometric services. It may also lead to confusion with opticians as to the requirements of a prescription which can be lawfully filled. | In active use | N/A | |
| 65-8-5 | Article 8.-Minimum Standards for Ophthalmic Services | Revoked | | | | | | | | | | | | | | | | | |
| 65-9-1 | Article 9.-Trade Names | Use | Amended | April 9, 1999 | 1997 Supp. 65-1522 | 1997 Supp. 65-1522 | To ensure transparency, accountability and consistency in the use of trade or assumed names by optometric practices. It mandates that any licensee intending to practice under a trade or assumed name must obtain approval from the Board of the trade name or the location in which the trade name(s) will be used. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-9-1, along with the other trade name regulations, could result in public confusion due to limited oversight of trade or assumed names. The trade name regulations ensure practitioners meet professional standards and transparency, and properly convey their name and services provided to the public. | In active use | N/A | |
| 65-9-2 | Article 9.-Trade Names | Application | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1509 | Provides a framework for optometric practitioners to properly apply for and obtain approval from the Board before using a trade or assumed name, ensuring transparency, accountability and consistency in the use of trade or assumed names by optometric practices. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-9-2, along with the other trade name regulations, would remove the process and standards for obtaining Board approval of trade or assumed names, leading to potential confusion and lack of accountability. This could compromise professional standards, transparency, and lead to inconsistent approvals from the Board relating to the use of trade names which is intended to safeguard the public. | In active use | N/A | |
| 65-9-3 | Article 9.-Trade Names | Approval | New | May 18, 1992 | 74-1504(a)(6) | | To ensure that trade or assumed names used by optometric practitioners are truthful and not false, misleading or deceptive. Further addressing situations where trade names lapse for non-use and bases for revocation of a trade or assumed name. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-9-3, along with other trade name regulations, would remove the standards applicable to a trade or assumed name, and the lapse or revocation of a trade name. This could lead to potential misuse of false, misleading or deceptive trade or assumed names, to the detriment of the public. | In active use | N/A | |
| 65-9-4 | Article 9.-Trade Names | Transfer | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1509 | Addressing the transfer of trade or assumed names in optometry practices, including the process for transfer and responsibility upon transfer. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-9-4, along with the other trade name regulations, could be construed to allow optometrists to transfer trade or assumed names without Board approval. This could lead to potential misuse, reduce accountability, transparency and consistency in the use of trade or assumed names, and ultimately compromise professional standards. | In active use | N/A | |

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| 65-9-5 | Article 9.-Trade Names | Practice under a trade or assumed name | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1509 | To ensure transparency and accountability when optometric practitioners use a trade or assumed name, including identifying the licensee practicing under the trade name and addressing situations where the holder of a trade name retires, leaves a practice or dies. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-9-5, along with the other trade name regulations, could lead to a lack of transparency and accountability in optometric practices using trade or assumed names. This could result in public confusion and the potential for misuse, reduce accountability and transparency in the use of trade or assumed names. | In active use | N/A | |
| 65-10-1 | Article 10.-Maintaining an Office | Practice locations | Amended | Aug. 1, 1997 | 74-1504(a)(6) | 65-1502 | To ensure that optometric services are provided only by licensed practitioners at designated practice locations, that licenses are properly displayed for the view of the public, and prohibiting the unlawful maintaining of an office in accordance with KSA 65-1502. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-10-1 would mean optometrists in Kansas are no longer required to display an original license at each office location. This could result in less accountability, transparency and potential confusion for patients seeking certified practitioners. Additionally, it may allow unlicensed individuals to operate more freely within medical facilities or imply association with licensed optometrists, increasing risks of unregulated and potentially unsafe practices through unlawfully maintaining an office. | In active use | N/A | |
| 65-10-2 | Article 10.-Maintaining an Office | Unlawfully maintaining an office | Amended | April 9, 1999 | 74-1504(a)(6) | 65-1502 | To prevent unlicensed individuals from unlawfully maintaining an office for the practice of optometry in accordance with KSA 65-1502, to include safeguarding professional judgment and practice and providing guidance regarding situation where the location of the practice implies that the licensee is practicing in association with an unlicensed person. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-10-2 would allow unlicensed individuals to more easily influence optometric practices in Kansas through financial arrangements and office associations and locations. This could compromise optometrists' professional judgment and blur the lines between licensed and unlicensed practitioners, leading to patient confusion and potential safety risks. The regulation's removal would weaken safeguards against unregulated and potentially unsafe optometric practices, impacting care quality and patient trust. | In active use | N/A | |
| 65-10-3 | Article 10.-Maintaining an Office | Licensee ownership of franchised business of optical dispensing | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1502 | To ensure that optometric services and the business of marketing ophthalmic goods or contact lenses remain separate and independent when a licensee has a beneficial interest in both. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-10-3 removes safeguards which prevent optometrists in Kansas from combining their practice locations with optical dispensing businesses they have an interest in. This could lead to conflicts of interest and potential bias in recommending ophthalmic goods due to a profit motive, compromising patient trust. The separation of these operations currently ensures independent functioning and transparency. Removing this requirement could blur lines between professional care and commercial interests, affecting the quality of optometric services and consumer confidence. | In active use | N/A | |

| IDENTIFYING THE RULE AND REGULATION | | | | | | | PURPOSE | NECESSITY | | | TIES TO FEDERAL PROGRAMS | | | | | POTENTIAL FOR REVOCATION | | | ADDITIONAL INFORMATION |
|---|-------------------------|---------------------------|---------------------|--------------------------|--------------------|---------------------|---|---|--|---|--|--|---|---|---|---|--|--|---|
| Number | Article Title | Rule and Regulation Title | Type (new, amended) | Effective Date (history) | Authorizing KSA(s) | Implementing KSA(s) | Briefly describe the public purpose of the rule and regulation. | Is the rule and regulation necessary for the implementation and administration of state law or could it be revoked? | Does the rule and regulation serve an identifiable public purpose in support of state law? | Is the rule and regulation broader than necessary to meet its public purpose? | Is the rule and regulation federally required for state participation in a federal program or authority? | Is the rule and regulation necessary for federal delegation of enforcement authority to the State? | If the rule and regulation is federally required, the state and federal program names and the federal agency name | Could federal moneys be in jeopardy under current law if the rule and regulation were repealed? | If federal moneys could be in jeopardy, the approximate amount received for the most recent fiscal year | Briefly describe how revocation would affect Kansans. | If the rule and regulation is not in active use, would revocation require a change to the authorizing or implementing statute? | If the rule and regulation is not in active use and revocation would require a change to the authorizing or implementing statute, which change(s)? | Additional information necessary to understanding the necessity of this rule and regulation |
| KLRD Note: No additional information is expected for revoked or transferred rules and regulations. | | | | | | | limited to 400 characters | necessary/ could be revoked | yes/no | yes/no | yes/no | yes/no | | yes/no | | limited to 600 characters | in active use/ yes/ no | limited to 400 characters | limited to 1,200 characters |
| 65-11-1 | Article 11.-Advertising | Responsibility | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1517 | To ensure that optometric practitioners are accountable for any advertising related to their practice, in relation to KSA 65-1517(d)'s prohibition on fraudulent or false advertisements. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-11-1 could lead to confusion over responsibility for advertisements and lead to an increase in misleading advertising in Kansas, as licensees may no longer be held accountable for their advertisements. This might result in deceptive claims, reduced consumer protection, and a decline in trust in various professions. The overall quality and integrity of advertisements would likely suffer, affecting Kansans' confidence in services and products. | In active use | N/A | |
| 65-11-2 | Article 11.-Advertising | Fraudulent advertisement | New | May 18, 1992 | 74-1504(a)(6) | 1991 Supp. 65-1517 | Identifying types of advertisements which may be construed as fraudulent in the field of optometry, in relation to KSA 65-1517(d)'s prohibition on fraudulent or false advertisements. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-11-2 could lead to an increase in fraudulent advertisements in Kansas, with ads using misleading language, small qualifying statements, exaggerated claims, false promises, and misrepresenting qualifications. The regulation provides clear standards to optometrists regarding their advertisements. Revocation then may erode consumer trust, reduce protection, and potentially harm Kansans seeking reliable services, especially in the field of optometry. Overall, the revocation would likely result in a decline in advertisement integrity and professionalism. | In active use | N/A | |
| 65-11-3 | Article 11.-Advertising | Associated advertising | Amended | April 9, 1999 | 74-1504(a)(6) | 1997 Supp. 65-1517 | To ensure that optometric practitioners maintain clear and distinct advertising practices, which are not comingled with unlicensed persons. | necessary | Yes | No | No | No | | No | | Revoking KAR 65-11-3 could be construed as allowing licensees in Kansas to have signs, advertising, and displays that suggest associations with unrelated persons, firms, or corporations. This could mislead consumers about the legitimacy and affiliations of licensees, potentially resulting in confusion and diminished trust in professional services. The distinction between independent practices and associations could blur, impacting overall transparency and consumer protection. | In active use | N/A | |