

Issued in Fort Worth, Texas on February 16, 2007.

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Manager, System Support Group, ATO  
Central Service Area.

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BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2006-25943; Airspace  
Docket No. 06-ACE-13]

#### Modification of Class E Airspace; Phillipsburg, KS

AGENCY: Federal Aviation  
Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of  
effective date.

**SUMMARY:** This document confirms the  
effective date of the direct final rule  
which revises Class E airspace at  
Phillipsburg, KS.

**DATES:** *Effective Date:* 0901 UTC, May  
10, 2007.

**FOR FURTHER INFORMATION CONTACT:**  
Grant Nichols, System Support, DOT  
Regional Headquarters Building, Federal  
Aviation Administration, 901 Locust,  
Kansas City, MO 64106; *telephone:*  
(816) 329-2522.

**SUPPLEMENTARY INFORMATION:** The FAA  
published this direct final rule with a  
request for comments in the **Federal  
Register** on January 18, 2007 (72 FR  
2181). The FAA uses the direct final  
rulemaking procedure for a non-  
controversial rule where the FAA  
believes that there will be no adverse  
public comment. This direct final rule  
advised the public that no adverse  
comments were anticipated, and that  
unless a written adverse comment, or a  
written notice of intent to submit such  
an adverse comment, were received  
within the comment period, the  
regulation would become effective on  
May 10, 2007. No adverse comments  
were received, and thus this notice  
confirms that this direct final rule will  
become effective on that date.

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16, 2007.

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## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 404 and 416

[Docket No. SSA-2006-0085]

RIN 0960-AG05

#### Optometrists as "Acceptable Medical Sources" To Establish a Medically Determinable Impairment

AGENCY: Social Security Administration.

ACTION: Final rules.

**SUMMARY:** We are revising the Social  
Security and Supplemental Security  
Income (SSI) disability regulations  
regarding sources of evidence for  
establishing a medically determinable  
impairment under titles II and XVI of  
the Social Security Act (the Act). The  
revised regulations expand the  
situations in which we consider  
licensed optometrists to be "acceptable  
medical sources."

**DATES:** These rules are effective April 2,  
2007.

**FOR FURTHER INFORMATION CONTACT:** Art  
Spencer, Director, Office of Disability  
Evaluation Policy, Social Security  
Administration, 4465 Annex Building,  
6401 Security Boulevard, Baltimore, MD  
21235-6401, (410) 966-5766 or TTY  
(410) 966-5609. For information on  
eligibility or filing for benefits, call our  
national toll-free number, 1-800-772-  
1213, or TTY 1-800-325-0778, or visit  
our Internet Web site, Social Security  
Online, at [http://  
www.socialsecurity.gov](http://www.socialsecurity.gov).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Version

The electronic file of this document is  
available on the date of publication in  
the **Federal Register** at [http://  
www.gpoaccess.gov/fr/index.html](http://www.gpoaccess.gov/fr/index.html).

##### What is an "acceptable medical source?"

Our rules provide that you must show  
that you have a medically determinable  
impairment with evidence from an  
"acceptable medical source." An  
"acceptable medical source" is an  
individual who has the training and  
expertise to provide us with the signs  
and laboratory findings based on  
medically acceptable clinical and  
laboratory diagnostic techniques that  
establish a medically determinable  
physical or mental impairment. Our  
regulations identify professionals whom  
we consider to be "acceptable medical  
sources." (See §§ 404.1513(a) and  
416.913(a).) In our prior rules, these  
sections provided that a licensed  
optometrist was an "acceptable medical  
source," but only for the measurement

of visual acuity and visual fields. They  
further indicated that, for claims under  
title II, we might need a report from a  
physician to determine other aspects of  
eye diseases.

Our rules in §§ 404.1513(d) and  
416.913(d) provide that, once we have  
established that you have a medically  
determinable impairment, we consider  
all other relevant evidence from other  
medical and non-medical sources,  
including your own statements, to  
determine its severity and how it affects  
you.

##### Why are we changing our rules?

In the early 1990s, we discussed  
expanding the role of optometrists as  
"acceptable medical sources" with the  
American Optometric Association  
(AOA). However, because licensing  
requirements and scope of practice  
varied considerably among jurisdictions  
at that time, we found that it was not  
feasible for us to revise our policy.

More recently, we again met with  
representatives of the AOA and  
obtained information about the  
education, qualifications, and State  
scope-of-practice requirements related  
to optometrists. Based on our review of  
accreditation and practice requirements,  
we have determined that, with the  
exception of the U.S. Virgin Islands, the  
licensing requirements, scope of  
treatment, and diagnostic protocols for  
licensed optometrists are sufficient to  
qualify all licensed optometrists as  
"acceptable medical sources" for visual  
disorders. Therefore, it is now  
appropriate to revise our regulations to  
authorize licensed optometrists to be  
"acceptable medical sources" for visual  
disorders in all jurisdictions but the  
U.S. Virgin Islands.<sup>1</sup>

The revised regulations expand the  
situations in which we consider  
licensed optometrists to be "acceptable  
medical sources." These revised  
regulations will allow us to make more  
decisions based on medical evidence  
supplied to us solely from optometrists,  
rather than having to purchase time-  
consuming and expensive consultative  
examinations with ophthalmologists.  
Therefore, these regulations will help  
some individuals with visual disorders  
qualify for benefits more quickly.

<sup>1</sup> The U.S. Virgin Islands does not allow  
optometrists to administer or prescribe  
pharmaceuticals, including topical application of  
pharmaceuticals for diagnostic or treatment  
purposes. Because a complete evaluation of the eye  
includes the use of diagnostic pharmaceuticals,  
optometrists in the U.S. Virgin Islands are not  
qualified to perform a complete evaluation of the  
eye.