

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

Walter Tweedy,

Manager, System Support Group, ATO
Central Service Area.

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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.¹

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.

¹ 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.