

SENATE BILL NO. 244

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Introduced: 1/16/02

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the termination date of the Board of Examiners in Optometry; and
2 relating to optometrists."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.03.010(c)(14) is amended to read:

5 (14) Board of Examiners in Optometry (AS 08.72.010) -- June 30,
6 2006 [2002];

7 * **Sec. 2.** AS 08.72.150 is amended to read:

8 **Sec. 08.72.150. Application for examination and issuance of license.** An
9 applicant shall apply for the examination by filing an application with the department
10 together with the examination fee by the deadline established by the department in
11 regulations. The department may not require the applicant to submit a
12 photograph of the applicant. Upon successful completion of the examination by the
13 applicant and payment of the license fee, the board shall issue a license to the
14 successful applicant. The applicant may practice optometry in the state upon receipt

1 of the license.

2 * **Sec. 3.** AS 08.72.160(a) is amended to read:

3 (a) The examination **must** [SHALL] be written [, PRACTICAL,] and oral in
 4 nature. The written portion of the Alaska examination **must** [SHALL] consist of **two**
 5 **sections: (1)** all or part of a national or international examination designated by
 6 regulation by the board; **and (2) an examination approved by the board that is**
 7 **designed to test the applicant's knowledge of the laws of Alaska governing the**
 8 **practice of optometry and the regulations adopted under those laws.** The oral
 9 portion of the examination shall be recorded and retained for two years.

10 * **Sec. 4.** AS 08.72.160(c) is amended to read:

11 (c) An applicant who fails a portion of the **written** examination may take a
 12 reexamination in the portion failed upon payment of a reexamination fee established
 13 under AS 08.01.065.

14 * **Sec. 5.** AS 08.72.160(d) is amended to read:

15 (d) An applicant who fails more than one portion of the **written** examination
 16 shall retake the entire examination and pay the examination fee.

17 * **Sec. 6.** AS 08.72.170 is amended to read:

18 **Sec. 08.72.170. Licensure by credentials [WAIVER OF WRITTEN**
 19 **EXAMINATION].** (a) The board **shall issue a license by credentials to** [MAY
 20 WAIVE THE WRITTEN PORTION OF THE EXAMINATION REQUIREMENT
 21 FOR] an applicant who

22 (1) meets the qualifications of AS 08.72.140;

23 (2) **passes a written examination approved by the board that is**
 24 **designed to test the applicant's knowledge of the laws of Alaska governing the**
 25 **practice of optometry and the regulations adopted under those laws;**

26 **(3) passes an oral examination by the board;**

27 **(4) either**

28 **(A)** holds a current license by examination in another
 29 **jurisdiction** [STATE OR A PROVINCE OF CANADA] and has been
 30 established in ethical optometric practice for at least three years before the
 31 application; [,] or

1 **(B)** shows satisfactory evidence of having passed **all of** the
 2 **portions** [WRITTEN PORTION] of the examination given by the National
 3 Board of Examiners in Optometry **that are required by the board**; and

4 **(5)** [(3)] has not had **an optometry** [A] certificate or license revoked
 5 for cause in any **jurisdiction** [STATE, TERRITORY, OR FOREIGN COUNTRY].

6 (b) A waiver of the **Alaska jurisprudence** [PRACTICAL] or oral portions of
 7 the examinations may not be given.

8 * **Sec. 7.** AS 08.72.181(d) is amended to read:

9 (d) Before a license may be renewed, the licensee shall submit to the board
 10 evidence of **24** [48] hours of postgraduate continuing education instruction as
 11 prescribed by regulations of the board. The board may specify by regulation those
 12 circumstances under which the requirements of this subsection may be waived.

13 * **Sec. 8.** AS 08.72.191 is amended to read:

14 **Sec. 08.72.191. Fees.** The department shall set fees under AS 08.01.065 for
 15 the following:

- 16 (1) examination;
- 17 (2) reexamination for the written portion;
- 18 (3) **licensure by credentials** [WAIVER OF EXAMINATION];
- 19 (4) license;
- 20 (5) renewal;
- 21 (6) branch office license and renewal.