

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

HOUSE BILL NO. 532

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the regulation of optometrists;
7 extending the termination date of the Board of Exam-
8 iners in Optometry; and providing for an effective
9 date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 08.03.010(c)(3) is amended to read:

12 (3) Board of Examiners in Optometry (AS 08.72.010) --
13 June 30, 1992 [1988].

14 * Sec. 2. AS 08.72.050 is amended to read:

15 Sec. 08.72.050. POWER OF BOARD TO ADOPT REGULATIONS. The board
16 shall adopt regulations

17 (1) necessary for the proper performances of its duties;

18 (2) governing the applicants and applications for licens-
19 ing;

20 (3) for the licensing [REGISTRATION] of optometrists;

21 (4) necessary to govern the practice of optometry;

22 (5) prescribing requirements which a person licensed under
23 this chapter must meet to demonstrate continued professional compe-
24 tency.

25 * Sec. 3. AS 08.72.110 is amended to read:

26 Sec. 08.72.110. LICENSE REQUIRED. (a) A person may not prac-
27 tice, attempt to practice, or offer to practice optometry without
28 first obtaining a license from the board.

29 (b) A person not licensed as an optometrist may not fit, sell,

1 or dispose of or take, receive, or solicit an order for fitting, sale,
2 or disposition of spectacles, eyeglasses, or lenses for the correction
3 or relief of an optical or visual defect of the human eye or sell
4 spectacles, eyeglasses, or lenses from house to house, or in the
5 streets or highways. This chapter does not apply to the sale of toy
6 glasses, goggles consisting of plano-white or plano-colored lenses or
7 ordinary colored glasses, or complete ready-made spectacles and eye-
8 glasses sold only as merchandise, or the sale or repair of eyeglass
9 frames, or repair or replacement of lenses without pretense of adapt-
10 ing them to the eyes.

11 * Sec. 4. AS 08.72.125 is amended to read:

12 Sec. 08.72.125. LICENSING [REGISTRATION] OF BRANCH OFFICES. (a)
13 The board shall license each [ISSUE A] branch office of [CERTIFICATE
14 OF REGISTRATION TO] an Alaskan licensee [WHO MAINTAINS A FULL-TIME
15 PRACTICE IN THE STATE BUT WHO SERVES OTHER COMMUNITIES IN THE STATE ON
16 A PART-TIME BASIS].

17 (b) A person may not practice, or attempt or offer to practice,
18 optometry [IN COMMUNITIES ON A PART-TIME BASIS] without obtaining a
19 license for each branch office [CERTIFICATE OF REGISTRATION] from the
20 board.

21 (c) The board shall prescribe in the regulations the factors to
22 be considered in issuing a branch office license [CERTIFICATE OF
23 REGISTRATION].

24 * Sec. 5. AS 08.72.150 is amended to read:

25 Sec. 08.72.150. APPLICATION FOR EXAMINATION AND ISSUANCE OF
26 LICENSE [CERTIFICATE]. An applicant shall apply for the examination
27 by filing an application with the department together with the ex-
28 amination fee at least 15 days before the examination. Upon success-
29 ful completion of the examination by the applicant and payment of the

1 license fee, the board shall issue a license [CERTIFICATE OF REGISTRA-
2 TION AS A LICENSED OPTOMETRIST] to the successful applicant. The
3 [AFTER THE APPLICANT HAS PROPERLY FILED A CERTIFICATE OF REGISTRATION
4 THE] applicant may practice optometry in the state upon receipt of the
5 license.

6 * Sec. 6. AS 08.72.191 is amended to read:

7 Sec. 08.72.191. FEES. The department shall set fees under
8 AS 08.01.065 for the following:

- 9 (1) examination;
- 10 (2) reexamination for the written portion;
- 11 (3) waiver of examination;
- 12 (4) license [CERTIFICATES];
- 13 (5) renewal;
- 14 (6) branch office license [REGISTRATION] and renewal.

15 * Sec. 7. AS 08.72.270(a) is amended to read:

16 (a) A licensed [REGISTERED] optometrist, who temporarily prac-
17 tices optometry away from the optometrist's regular place of business,
18 shall display a license [REGISTRATION CERTIFICATE] and deliver to each
19 patient or person fitted or supplied with glasses or contact lenses a
20 receipt showing the optometrist's permanent place of business or post
21 office address and the amount charged.

22 * Sec. 8. AS 08.72.280 is amended to read:

23 Sec. 08.72.280. VIOLATIONS. A person may not falsely personate
24 a licensed [REGISTERED] optometrist, or buy, sell, or fraudulently
25 obtain a license [CERTIFICATE OF REGISTRATION] issued to another or
26 advertise the practice of optometry in violation of rules of the
27 board. Practicing or offering to practice optometry without a license
28 is sufficient evidence of a violation of this chapter.

29 * Sec. 9. AS 08.72.120 is repealed.

1 * Sec. 10. This Act takes effect immediately under AS 01.10.070(c).