

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 525

Short Title: Amend Optician Licensure Fees & Exam Req's. (Public)

Sponsors: Senators Curtis, Hartsell, Rabon (Primary Sponsors); Hise and Rabin.

Referred to: Rules and Operations of the Senate.

March 30, 2015

A BILL TO BE ENTITLED

AN ACT AMENDING DISPENSING OPTICIAN EXAMINATION QUALIFICATIONS
AND APPRENTICESHIP REQUIREMENTS AND AUTHORIZING THE STATE
BOARD OF OPTICIANS TO INCREASE CERTAIN LICENSURE FEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-240 reads as rewritten:

"§ 90-240. Examination.

(a) Applicants to take the examination for dispensing opticians shall be high school graduates or the equivalent ~~who;~~ who have done one of the following:

- (1) ~~Have successfully~~ Successfully completed a two-year course of training in an accredited school of opticianry with a minimum of 1600 ~~hours; or~~ hours.
- (2) ~~Have completed three~~ Completed two and one-half years of apprenticeship while registered with the Board under a licensed dispensing optician, with time spent in a recognized school credited as part of the apprenticeship ~~period; or~~ period.
- (3) ~~Have completed three~~ Completed two and one-half years of apprenticeship while registered with the Board under the direct supervision of an optometrist or a physician specializing in ophthalmology, provided the supervising optometrist or physician elects to operate the apprenticeship under the same requirements applicable to dispensing opticians.

(a1) Applicants to take the examination for dispensing opticians who are graduates from an accredited college or university with a four-year degree or comparable degree in a health-related field shall satisfy one of the following:

- (1) The requirements of subdivision (1) of subsection (a) of this section.
- (2) Successful completion of two years of apprenticeship while registered with the Board under a health care professional identified in subdivision (2) or (3) of subsection (a) of this section. The Board may adopt rules specifying the colleges, universities, and coursework that meet the accreditation requirements of this subsection.

(b) The examination shall be confined to such knowledge as is reasonably necessary to engage in preparation and dispensing of optical devices and shall include the following:

- (1) The skills necessary for the proper analysis of prescriptions;
- (2) The skills necessary for the dispensing of eyeglasses and contact lenses; and
- (3) The processes by which the products offered by dispensing opticians are manufactured.



(c) The examination shall be given at least twice each year at sites and on dates that are publicly announced 60 days in advance.

(d) Each applicant shall, upon request, receive his or her examination score on each section of the examination.

(e) The Board ~~may~~ shall include as part or all of the examination, any nationally prepared and recognized examination, and will periodically review and validate any exam in use by the Board. The Board will credit an applicant with the score on any national test ~~taken~~ successfully completed in the last three years immediately preceding the date the applicant is scheduled to take the North Carolina examination, to the extent that such test may be included in the North Carolina ~~exam~~ examination. The Board shall adopt rules designating the nationally prepared and recognized examinations that will satisfy and serve as credit for parts or all of the North Carolina examination.

(f) ~~An applicant for admission on the basis of apprenticeship shall have worked full time under the supervision of a licensed dispensing optician, optometrist or physician trained in ophthalmology. An apprentice shall have obtained experience in ophthalmic fabricating and manufacturing techniques and processes for no less than six months and shall have gained experience in the other activities defined as dispensing herein. Completion of the six-month internship required of all applicants under G.S. 90-237(4) may, at the election of the applicant, occur before or after the applicant sits for the examination as provided in this section, so long as the applicant has met the minimum qualifications for examination under subsection (a) or (a1) of this section at the time the internship commences."~~

SECTION 2. G.S. 90-245 reads as rewritten:

"§ 90-245. Collection of fees.

The ~~secretary to~~ administrator for the Board is hereby authorized and empowered to collect in the name and on behalf of this Board the fees prescribed by this Article and shall turn over to the State Treasurer all funds collected or received under this Article, which funds shall be credited to the North Carolina State Board of Opticians, and said funds shall be held and expended under the supervision of the Director of the Budget of the State of North Carolina exclusively for the administration and enforcement of the provisions of this Article. Nothing in this Article shall be construed to authorize any expenditure in excess of the amount available from time to time in the hands of the State Treasurer derived from the fees collected under the provisions of this Article and received by the State Treasurer in the manner aforesaid."

SECTION 3. G.S. 90-246 reads as rewritten:

"§ 90-246. Fees.

In order to provide the means of administering and enforcing the provisions of this Article and the other duties of the North Carolina State Board of Opticians, the Board is hereby authorized to charge and collect ~~fees established by its rules not to exceed the following:~~ the following fees:

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| (1) | Each examination | \$200.00 <u>\$300.00</u> |
| (2) | Each initial license | \$ 50.00 <u>\$100.00</u> |
| (3) | Each renewal of license..... | \$100.00 <u>\$150.00</u> |
| (4) | Each license issued to a practitioner of another state to practice in this State..... | \$200.00 <u>\$300.00</u> |
| (5) | Each registration of an optical place of business | \$ 50.00 <u>\$ 75.00</u> |
| (6) | Each application for registration as an opticianry apprentice or intern, and renewals thereof | \$ 25.00 <u>\$ 35.00</u> |
| (7) | Repealed by Session Laws 1997-424, s. 4. | |
| (8) | Each registration of a training establishment | \$ 25.00 <u>\$ 35.00</u> |
| (9) | Each license verification | \$ 10.00 <u>\$ 15.00</u> |
| (10) | <u>Each registration of an optician in charge.....</u> | <u>\$ 50.00</u> |
| (11) | <u>Late fee for restoration of an expired license</u> | |

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| 1 | <u>within the first year after expiration.....</u> | <u>\$ 75.00</u> |
| 2 | (12) <u>Late fee for restoration of an expired license</u> | |
| 3 | <u>within the second year after expiration</u> | <u>\$150.00</u> |
| 4 | (13) <u>Restoration fee for an inactive license</u> | |
| 5 | <u>within the second year.....</u> | <u>\$100.00."</u> |

6 **SECTION 4.** G.S. 90-249 is amended by adding a new subdivision to read:

7 "(10a) Designation of accredited colleges, universities, and coursework that satisfy
8 the qualifications for examination pursuant to G.S. 90-240(a1)."

9 **SECTION 5.** This act is effective when it becomes law.