

"AN ACT TO AMEND ACT 589 OF 1981 PERTAINING TO THE REGULATION OF OPHTHALMIC DISPENSERS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subsection (c) of Section 7 of Act 589 of 1981, the same being Arkansas Statute 72-2107(c), is hereby amended to read as follows:

"(c) Every applicant for examination as a licensed dispensing optician shall present satisfactory evidence to the Board that he is over the age of twenty-one (21) years, a bona fide resident of Arkansas, of good moral character, a high school graduate or the equivalent thereof, and shall (1) be a graduate of a school of opticianry whose curriculum consists of at least 18 months of didactic and practical instruction which is accredited by a national accreditation organization and approved by the Board or (2) whose occupation has been the providing of ophthalmic dispensing services, as defined in this Act, in the State of Arkansas for a period of not less than five years immediately prior to application: (a) no more than three years of which may consist of working in a qualified service optical laboratory approved by the Board; or (b) providing ophthalmic dispensing services under the direct supervision of an Arkansas licensed or registered dispensing optician, Arkansas licensed optometrist, or Arkansas physician skilled in disease of the eye. All persons making application for licensure as licensed dispensing opticians must successfully complete the written and practical examination prepared and conducted by the Board."

SECTION 2. Section 11 of Act 589 of 1981, the same being Arkansas Statute 72-2111, is hereby amended to read as follows:

"Section 11. Any person making application for examination for licensure or registry as a dispensing optician shall be required to pay to the Secretary-Treasurer of the Board a fee not to exceed one hundred dollars (\$100.00). Additional examinations shall be given upon payment of a fee not to exceed fifty dollars (\$50.00)."

SECTION 3. Section 13 of Act 589 of 1981, the same being Arkansas Statute 72-2113, is hereby amended to read as follows:

"Section 13. All licensed and registered opticians shall annually pay Fifty Dollars (\$50.00) by the 1st day of July of each year to the Secretary-Treasurer of the Board as a renewal licensure or registry fee. Unless such fee is paid Certificates of Licensure or Registry issued under this Act shall expire and become invalid midnight, July 1, of that year. Any person licensed or registered under the provisions of this Act who has not paid his or her renewal fee in full by July 1 of that year shall be required to pay a renewal penalty not to exceed One Hundred Dollars (\$100.00). Upon the payment of such renewal fee and in the absence of a Board finding against renewal under this act, such person shall have his Certificate of Licensure or Registry renewed for an additional year commencing on July 1 of that year."

SECTION 4. Section 16 of Act 589 of 1981, the same being Arkansas Statute 72-2116, is hereby amended to read as follows:

"Section 16. (a) From the effective date of this Act, no licensed or registered dispensing optician or person in this state shall establish more than two ophthalmic dispensing branch offices in addition to his principal office unless he shall have first secured a branch office permit from the

Board. The Board shall, with Board approval, promulgate rules and regulations establishing the 'branch office permit' and the procedures for issuing, suspending, or revoking the same. Such rules and regulations shall comply with the pertinent provisions of all existing State legislation. All businesses providing retail ophthalmic dispensing services to the public, as defined in Section 2(a) of this Act, must have physically present within the place of business at the time such services are provided a licensed or registered dispensing optician.

(b) Each optical dispensary in the State of Arkansas whose title does not contain the proper name of an Arkansas Optometrist or Arkansas physician skilled in disease of the eye, or a licensed or registered dispensing optician holding a certificate of licensure or registry in the State of Arkansas must file a certificate of ownership each year with the Arkansas State Board of Dispensing Opticians between June 1 and June 30. Each certificate of ownership must give the name and address of the dispensary, the optometrist or physician skilled in disease of the eye, or licensed or registered dispensing optician or person who owns or maintains legal responsibility of the dispensary.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: April 14, 1987

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