

House Bill 241

By: Representatives Chambers of the 81<sup>st</sup>, Cooper of the 41<sup>st</sup>, and Drenner of the 86<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 43-29-7 of the Official Code of Georgia Annotated, relating to  
2 license requirements for dispensing opticians, qualifications of applicants, subjects to be  
3 tested on examination, and issuance and display of license, so as to specify certain  
4 requirements for practical training and experience for an applicant to obtain licensure through  
5 an apprenticeship program; to provide for credit for previous training and experience; to  
6 provide for alternative means of obtaining the required education, training, and experience  
7 for licensure; to prohibit the use of certain titles unless a person is licensed; to provide for  
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Code Section 43-29-7 of the Official Code of Georgia Annotated, relating to license  
12 requirements for dispensing opticians, qualifications of applicants, subjects to be tested on  
13 examination, and issuance and display of license, is amended as follows:

14 "43-29-7.

15 (a) Any person wishing to obtain the right to practice the trade or occupation of dispensing  
16 optician, as defined in this chapter, shall, before it shall be lawful for him to do so in this  
17 state, make application to the board, upon such form and in such manner as shall be  
18 adopted and prescribed by the board, and obtain a license from the board. Unless such  
19 person shall have obtained a license as provided in this subsection, it shall be unlawful for  
20 him to practice the trade or occupation of dispensing optician in this state; and he shall be  
21 subject to the penalties prescribed in Code Section 43-29-21.

22 (b) The board shall admit to examination any candidate who pays the fee provided for in  
23 this chapter and submits evidence satisfactory to the board, verified on oath, that:

24 (1) The applicant is over 18 years of age;

25 (2) The applicant has completed a high school education or its equivalent, as defined by  
26 the State Board of Education;

1 (3) The applicant is of good moral character; and

2 (4) The applicant has satisfactorily completed one school year of not less than an 850  
3 hour course of study in a recognized school of optical dispensing or has had practical  
4 training and experience of a grade and character satisfactory to the board for not less than  
5 two years under the supervision of a licensed dispensing optician, a licensed physician,  
6 or a licensed optometrist, provided that any time spent in a recognized school shall be  
7 considered as part of the apprenticeship period. The practical training and experience  
8 required under this paragraph for an apprenticeship shall include, at a minimum, 3,500  
9 hours of experience engaged in apprenticeship functions and shall include instruction in  
10 ophthalmic optics, optical laboratory materials and techniques, eye anatomy and  
11 physiology, related laws and regulations, ophthalmic dispensing theory and application,  
12 and basic contact lens theory. Prior to beginning an apprenticeship, the applicant shall  
13 submit to the board a written statement of intent to qualify through an apprenticeship  
14 program pursuant to this paragraph. The board shall establish by rule a process to accept  
15 and review, no less frequently than once per month, written statements of intention to  
16 qualify through an apprenticeship program and to review and approve, no less frequently  
17 than once per month, written plans of instruction submitted to the board by a supervising  
18 Georgia licensed dispensing optician, Georgia licensed physician, or Georgia licensed  
19 optometrist to provide instruction to an apprentice pursuant to this Code section. Prior  
20 to providing instruction to an apprentice, the supervising Georgia licensed dispensing  
21 optician, Georgia licensed physician, or Georgia licensed optometrist shall provide to the  
22 board for approval a written plan of instruction including, but not limited to, the title of  
23 the subject, a description of the topics presented and the instructional techniques that will  
24 be employed, a list of textbooks and instructional materials, and a description of the  
25 methods of evaluation. Upon completion by the applicant, such training and experience  
26 shall be certified by the supervising licensed dispensing optician, licensed physician, or  
27 licensed optometrist to the board.

28 (b.1) Applicants who have received practical training and experience prior to July 1,  
29 2007, may receive credit toward the practical training and experience requirements of  
30 subsection (b) of this Code section if they make application to the board, in a form  
31 prescribed by the board, to receive such credit and such application is received by the  
32 board no later than August 31, 2007. The board shall review such application and  
33 determine whether any such training and experience shall be credited toward the practical  
34 training and experience requirements of subsection (b) of this Code section. The board  
35 shall make such determination within 60 days of receipt of the application.

36 (b.2) Applicants may also meet the educational, training, and experience requirements  
37 of this Code section by receiving a certificate from recognized schools of opticianry with

1 the Georgia Department of Technical and Adult Education or formal home study  
2 programs through the Career Progression Program with the National Academy of  
3 Opticianry or other programs approved by the board.

4 (c) Applicants for examination may be examined by the board upon matters pertaining to  
5 mathematics and physics, ophthalmic materials and laboratory technique, ophthalmic  
6 optics, ophthalmic dispensing, and practical subjects. When any applicant passes the  
7 necessary examination and meets the qualifications set out, the board shall issue a license  
8 to such person to practice the trade or occupation of dispensing optician.

9 (d) Such license shall be conspicuously displayed in the office or place of business of the  
10 dispensing optician; and it shall not be necessary to remove the same so long as such  
11 dispensing optician continues to practice his or her trade or occupation in ~~the~~ this state and  
12 so long as the license is not revoked or suspended by the board. No one in this state shall  
13 prepare and dispense lenses, spectacles, eyeglasses, contact lenses, or optical devices to the  
14 intended user thereof as specifically directed or authorized on the written prescription of  
15 a physician skilled in diseases of the eye or an optometrist duly licensed to practice his or  
16 her profession unless such person has been duly licensed in accord with the requirements  
17 of this chapter. Nor shall any person hold themselves out as being an 'optician,' 'licensed  
18 dispensing optician,' or anything similar without being licensed under the provisions of this  
19 chapter."

## 20 SECTION 2.

21 All laws and parts of laws in conflict with this Act are repealed.