

By Mr. Mofenson of Newton, petition of the Mass. Association of Registered Dispensing Opticians relative to the registration and licensing of dispensing opticians. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE REGISTRATION AND LICENSING OF DISPENSING OPTICIANS.

Be it enacted by the Senate and House of Representatives in General Court assembled and by the authority of the same, as follows:

1 SECTION 1. Section 73D of chapter 112 of the General Laws is
2 hereby amended by striking out said section and inserting in place
3 thereof the following: —

4 No person shall directly or indirectly engage in practice as a
5 dispensing optician unless he or she has been granted a license by
6 the board of registration of dispensing opticians referred to in
7 sections seventy-three E to seventy-three L, inclusive. No person or
8 corporation shall directly or indirectly own and operate an estab-
9 lishment, store or office providing the services of a dispensing
10 optician unless such establishment, store or office is managed by a
11 person granted a license under the above mentioned sections in
12 accordance with such rules and regulations as the Board may
13 promulgate.

14 Any person or corporation owning and operating an establish-
15 ment, store or office providing the services of a dispensing optician
16 as of January second nineteen hundred and eighty shall file with
17 the Board by the sixteenth of January nineteen hundred and eighty
18 the following information: the name, street address and telephone
19 number of said establishment, store or office; the name, business
20 address and telephone number of the owner; the name and license
21 number of the manager; and in the case of a natural person, the

22 name and license number of the owner. Any person or corporation
23 owning an establishment, store or office providing the services of a
24 dispensing optician that opens for business on or after the third of
25 January nineteen hundred and eighty shall file with the Board the
26 above required information within fourteen days from the date of
27 the opening. Any person or corporation referred to in this section
28 shall notify the Board whenever there are changes in the above
29 mentioned information. Such notification shall be filed in writing
30 within fourteen days of the change and shall include: the name of
31 the new owner and date of sale if the establishment, store or office
32 is sold; the new street address and telephone number if the estab-
33 lishment, store or office is relocated; and the name and license
34 number of the new manager if a new manager is appointed.

35 The Board shall prescribe forms to be used for the filing require-
36 ments of this section. Each filing under this section shall be accom-
37 panied by a filing fee of twenty dollars.

38 Any person found in non-compliance with this section shall be
39 punishable by a fine of one hundred dollars for each such violation.
40 The Board, upon the expiration of the fourteen day filing require-
41 ment in this section, shall notify the delinquent party by registered
42 mail of such delinquency and the attendant imposed fine. If within
43 thirty days the Board does not receive the required filing informa-
44 tion and payment of the fine by the delinquent party an additional
45 fine of two hundred dollars shall be imposed. If within an addi-
46 tional thirty days the delinquent party has again failed to comply
47 with this section, the license of said delinquent party shall be
48 revoked.

1 SECTION 2. Section 73B of chapter 112 of the General Laws is
2 hereby amended by striking out the first sentence of said section
3 and inserting in place thereof the following: —

4 Application for registration as a dispensing optician may be
5 made by any resident of the commonwealth who pays a fee of
6 twenty-five dollars and furnishes the board with proof that he or
7 she has received at least three years of training and experience as a
8 dispensing optician under the personal physical supervision of a
9 licensed dispensing optician or a registered physician or optome-
10 trist; or that he or she has completed a regular day course of not

11 less than twelve months or a regular night course of not less than
12 eighteen months but in any case not less than six hundred hours in
13 an approved school or college which maintains educational
14 requirements satisfactory to the Board.

1 SECTION 3. Section 73K of chapter 112 of the General Laws is
2 hereby amended by striking out said section and inserting in place
3 thereof the following: —

4 Any person entering the employ of a physician, optometrist or
5 licensed dispensing optician as an apprentice for the purpose of
6 obtaining the experience and training referred to in section
7 seventy-three E shall make written application for certification as
8 an apprentice with the Board. Such application shall be on a form
9 prescribed by the Board and shall be accompanied by a certificate
10 of the employer, verifying the statements made by the applicant.
11 The applicant shall pay a filing fee of fifteen dollars with such
12 application. The Board shall, upon the approval of such applica-
13 tion, issue to the applicant an apprentice's certificate, and there-
14 upon the computation of any period of training and experience
15 referred to in section seventy-three E shall begin. Any person who
16 may have served part of this apprenticeship in any state or country
17 not requiring such certification shall be obliged to give satisfactory
18 proof of such service to the Board. The time spent as an apprentice
19 in the employ of a dispensing optician, or a registered physician or
20 optometrist prior to January first, nineteen hundred and fifty-six,
21 shall be credited to the apprentice at such time of certification upon
22 satisfactory proof of such service furnished to the Board. A certi-
23 fied apprentice may perform any of the acts set forth in section
24 seventy-three C under the personal physical supervision of a
25 licensed dispensing optician or optometrist. All apprentices per-
26 forming any of the acts set forth in section seventy-three C shall
27 wear badge or tag bearing the word "Apprentice". Said badge or
28 tag shall be worn in a clearly visible location and shall be readable
29 to a person with normal vision for a distance of six feet. In no
30 establishment, store or office shall there be a ratio of more than two
31 apprentices to each licensed dispensing optician, physician or
32 optometrist.

