

1 HB61
2 145946-2
3 By Representative Sanderford
4 RFD: Boards, Agencies and Commissions
5 First Read: 05-FEB-13
6 PFD: 01/24/2013

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ENROLLED, An Act,

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama Board of Optometry until October 1, 2017, with certain modifications; to amend Section 34-22-20, Code of Alabama 1975, so as to delete the requirement of proving high school graduation to be licensed by the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama Board of Optometry until October 1, 2017, with the additional recommendation for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama Board of Optometry, created and functioning pursuant to Sections 34-22-1 to 34-22-110, inclusive, Code of Alabama 1975, is continued, and those code sections are expressly preserved.

Section 3. Section 34-22-20 of the Code of Alabama 1975, is amended to read as follows:

"§34-22-20.

"(a) Every person desiring to practice optometry in this state shall be 19 years of age, or over, a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with

1 appropriate documentation from the federal government, and of
2 good moral character. The person shall ~~have a preliminary~~
3 ~~education of at least four years of high school, or the~~
4 ~~equivalent, and be a graduate thereof,~~ have a minimum of three
5 years of preoptometry, or the equivalent, at an accredited
6 college or university, have completed a course of study in an
7 accredited school or college of optometry which is approved by
8 the board and that requires at least four years of
9 professional study, and have passed all examinations
10 prescribed by the board, which may include the standard
11 examination after completion of the educational requirements.
12 The board may accept a passing grade on a recognized national
13 examination or a passing grade on a board examination, or
14 both, and may require a passing grade on additional state law
15 examinations. The standard examination may consist of tests in
16 practical, theoretical, and physiological optics, in
17 theoretical and practical optometry, orthoptics, ocular
18 anatomy, physiology, pharmacology, pathology, diagnosis, and
19 treatment of disease of the human eye and its adjacent
20 structures, general anatomy, hygiene, and any other knowledge
21 the board deems essential to the practice of optometry. The
22 standard examination shall be consistent with the established
23 teaching and recognized textbooks of accredited schools or
24 colleges of optometry.

1 "(b) The application to take the standard
2 examination shall be upon the form prescribed and furnished by
3 the board and verified by the oath of the applicant,
4 accompanied by a fee to be determined by the board. The fee
5 shall not be more than five hundred dollars (\$500).

6 "(c) If required, the standard examination shall be
7 held at least once in each year for candidates for examination
8 who have applied to the board at least 30 days before the date
9 prescribed for the holding of the examination.

10 "(d) When an application and accompanying proof are
11 found satisfactory, the board shall notify the applicant to
12 appear for examination at a time and place fixed by the board.
13 An applicant shall submit to the board proof that he or she
14 has passed all examinations required by the board. The
15 applicant shall also submit any protocols for the use of
16 pharmaceutical agents that the board may require. When these
17 requirements have been met by the applicant and approved by
18 the board, the board shall grant to qualified applicants a
19 license and a license certificate, both of which shall bear a
20 serial number, the full name of the licensee, the date of
21 issuance, the seal of the board, and the signature of the
22 president and secretary of the board. A seal of approval by
23 the board of the use of pharmaceutical agents for the
24 treatment of the human eye and any of its adjacent structures
25 shall be affixed to the license certificate. The board may

1 grant a temporary license under the circumstances and
2 conditions, and in the form, as may be prescribed by rules and
3 regulations of the board.

4 "(e) Every license issued, whether permanent or
5 temporary, and every annual registration certificate shall be
6 in the possession of the optometrist to whom it was issued and
7 posted in the office where he or she practices.

8 "(f) Those persons who hold valid licenses to
9 practice optometry in the State of Alabama on October 1, 1994,
10 shall continue to be so licensed after October 1, 1994,
11 subject to this chapter, regardless of whether they are
12 otherwise qualified to secure a license under this chapter.
13 Optometrists licensed under this section may apply to the
14 board, in a manner prescribed by the board, for approval to
15 use pharmaceutical agents for the treatment of disease of the
16 human eye and its adjacent structures. The board shall
17 prescribe requirements to be met by applicants prior to
18 approval by the board including, but not limited to, the
19 requirement that the applicant has successfully completed at
20 least 72 clock hours in the diagnosis and management of
21 disease of the human eye and its adjacent structures within a
22 three-year period preceding application for a license."

23 Section 4. The Legislature concurs in the
24 recommendations of the Sunset Committee as provided in
25 Sections 1, 2, and 3.

1 Section 5. This act shall become effective
2 immediately upon its passage and approval by the Governor, or
3 its otherwise becoming law.

