

1 HB61
2 145946-1
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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8 SYNOPSIS: Under existing law, termination dates are
9 established for enumerated state agencies. The
10 agencies are periodically reviewed by the Alabama
11 Sunset Committee. After the review process is
12 completed, the committee prepares its
13 recommendations for the agencies to the Legislature
14 in the form of sunset bills which either continue,
15 terminate, or continue with modification each
16 agency reviewed.

17 This bill would provide for the continuance
18 of the Alabama Board of Optometry until October 1,
19 2017, with the following change: To delete the
20 requirement of proving high school graduation to be
21 licensed by the board.

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 Relating to the Alabama Sunset Law; to continue the
2 existence and functioning of the Alabama Board of Optometry
3 until October 1, 2017, with certain modifications; to amend
4 Section 34-22-20, Code of Alabama 1975, so as to delete the
5 requirement of proving high school graduation to be licensed
6 by the board.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 Section 2. The existence and functioning of the
13 Alabama Board of Optometry, created and functioning pursuant
14 to Sections 34-22-1 to 34-22-110, inclusive, Code of Alabama
15 1975, is continued, and those code sections are expressly
16 preserved.

17 Section 3. Section 34-22-20 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§34-22-20.

20 "(a) Every person desiring to practice optometry in
21 this state shall be 19 years of age, or over, a citizen of the
22 United States or, if not a citizen of the United States, a
23 person who is legally present in the United States with
24 appropriate documentation from the federal government, and of
25 good moral character. The person shall ~~have a preliminary~~
26 ~~education of at least four years of high school, or the~~
27 ~~equivalent, and be a graduate thereof,~~ have a minimum of three

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

21 "(b) The application to take the standard
22 examination shall be upon the form prescribed and furnished by
23 the board and verified by the oath of the applicant,
24 accompanied by a fee to be determined by the board. The fee
25 shall not be more than five hundred dollars (\$500).

26 "(c) If required, the standard examination shall be
27 held at least once in each year for candidates for examination

1 who have applied to the board at least 30 days before the date
2 prescribed for the holding of the examination.

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

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

26 "(f) Those persons who hold valid licenses to
27 practice optometry in the State of Alabama on October 1, 1994,

1 shall continue to be so licensed after October 1, 1994,
2 subject to this chapter, regardless of whether they are
3 otherwise qualified to secure a license under this chapter.
4 Optometrists licensed under this section may apply to the
5 board, in a manner prescribed by the board, for approval to
6 use pharmaceutical agents for the treatment of disease of the
7 human eye and its adjacent structures. The board shall
8 prescribe requirements to be met by applicants prior to
9 approval by the board including, but not limited to, the
10 requirement that the applicant has successfully completed at
11 least 72 clock hours in the diagnosis and management of
12 disease of the human eye and its adjacent structures within a
13 three-year period preceding application for a license."

14 Section 4. The Legislature concurs in the
15 recommendations of the Sunset Committee as provided in
16 Sections 1, 2, and 3.

17 Section 5. This act shall become effective
18 immediately upon its passage and approval by the Governor, or
19 its otherwise becoming law.