

ACT 156

S. B. NO. 121

A Bill for an Act Relating to Licensing of Optometrists.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 459-7, Hawaii Revised Statutes, is amended to read:

“Sec. 459-7 Examination; certificate of registration. Except as otherwise provided in this chapter, every person desiring to begin or to continue the practice of optometry shall, before beginning or continuing such practice, upon presentation of satisfactory evidence, verified by oath, that he is at least eighteen

years of age, is a citizen of the United States, is a graduate of a high school, is a graduate of an American optometric college, school, or university recognized and approved by the board of examiners in optometry and the American optometric association, take an examination before the board upon complying with the following requirements:

Applications for examination shall be made out and filed in writing with the secretary of the board and each application shall be accompanied by a fee of \$30, which shall be retained by the board.

Each applicant shall file, in writing, with the secretary at least thirty days prior to the date selected by the board for such examination, the following credentials:

- (1) A diploma or certificate of graduation from an American optometric college or school recognized and approved by the board.
- (2) A certificate that the applicant is of good moral character. Certificates of good moral character for applicants who are licensed in some other state of the United States shall bear the signatures and seals of the secretary of the board of optometric examiners, and the secretary of the state optometric association of that state.
- (3) An unretouched unmounted recent photograph of the applicant.

The applicants shall be given due notice of the date and place of examination. No applicant who fails to obtain an average of seventy per cent in every subject upon which he is examined shall be passed by the board. If an applicant, because of his failure to pass an examination is refused a license, he shall, within one year, be permitted to take a second examination without additional fee. If an applicant fails the second time, he shall be required to file a new application and to pay an additional fee of \$30. If an applicant fails the third time or any subsequent time, he shall be required to file a new application and to pay an additional fee of \$30 and to take a complete examination.

An appeal to the circuit court, of the circuit within which the applicant resides, may be taken from any decision of the board by any applicant who is refused or denied a certificate.

Every candidate who passes an examination shall be registered as possessing the qualifications required by this chapter, and shall receive from the board a proper certificate of registration. Before any certificate is issued it shall be numbered and recorded on a book kept by the secretary of the board of examiners in optometry.

Each registered optometrist shall pay an annual license fee of \$7.50 between December 1 and December 31 of each year, to the treasurer of the board for a renewal of his registration certificate for the year next following. The failure of any regular licensed optometrist to pay his annual license fee in advance on or before December 31 of each year, during the time his license remains in force, shall ipso facto, work a revocation and forfeiture of his license. Any person whose license is so revoked and forfeited shall pay a penalty of \$25 for the restoration of his license, and, in addition, all delinquent annual license fees. When an application for restoration of a license is made and all delinquent license fees and penalties are paid within three years after the forfeiture no examination shall be required. If this is not done within three years,

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the license shall not be restored unless the regular examination for applicants is passed by such person.

Each registered optometrist shall submit proof to the board of examiners that he did, on or before December 31 of each year, during the time his license remains in force, meet the requirement of continuing education in programs as set and approved by the board. The board shall establish such rules and regulations for the certification of the administration of the continuing education program.”

SECTION 2. Statutory material to be repealed is bracketed. In printing this Act, the revisor of statutes need not include the brackets or the bracketed material.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 22, 1973.)

*Edited accordingly.