

ACT 133

H.B. NO. 669

A Bill for an Act Relating to Dispensing Opticians.

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

SECTION 1. Chapter 458, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§458- Practical Examination. The practical examination required under section 458-6.5 will be required for licensing until December 31, 1995.

Effective January 1, 1996, the practical examination may be replaced by a nationally standardized practical examination as approved by the board.”

SECTION 2. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

“§26H-4 Repeal dates. (a) The following sections are hereby repealed effective December 31, 1990:

(1) Sections 321-13 to 321-15 (laboratory directors, laboratory technologists, laboratory supervisors, and laboratory technicians)

(b) The following chapters are hereby repealed effective December 31, 1991:

[(1)] Chapter 458 (Board of Dispensing Opticians)

[(2)] (1) Chapter 460J (Pest Control Board)

[(3)] (2) Chapter 462A (Pilotage)

[(4)] (3) Chapter 468K (Travel Agencies)

(c) The following chapters and sections are hereby repealed effective December 31, 1992:

(1) Chapter 446 (Debt Adjusters)

(2) Chapter 467D (Social Workers)

(3) Sections 321-13 to 321-15 only as they relate to sanitarians

(4) Sections 445-21 to 38 (Auctions)

(5) Sections 445-131 to 136 (Pawnbrokers)

(6) Sections 445-171 to 172 (Secondhand Dealers)

(7) Sections 445-231 to 235 (Scrap Dealers)

(d) The following chapters are hereby repealed effective December 31, 1993:

(1) Chapter 452 (Board of Massage)

(2) Chapter 453 (Board of Medical Examiners)

(3) Chapter 460 (Board of Osteopathic Examiners)

(4) Chapter 461J (Board of Physical Therapy)

(5) Chapter 463E (Podiatry)

(e) The following chapters are hereby repealed effective December 31, 1994:

(1) Chapter 447 (Dental Hygienists)

(2) Chapter 457 (Board of Nursing)

(3) Chapter 457A (Nurse Aides)

(4) Chapter 457B (Board of Examiners of Nursing Home Administrators)

(5) Chapter 461 (Board of Pharmacy)

(f) The following chapters are hereby repealed effective December 31, 1995:

(1) Chapter 437 (Motor Vehicle Industry Licensing Board)

(2) Chapter 437B (Motor Vehicle Repair Industry Board)

(3) Chapter 440 (Boxing Commission)

(4) Chapter 448H (Elevator Mechanics Licensing Board)

(5) Chapter 451A (Board of Hearing Aid Dealers and Fitters)

(g) The following chapters [] and sections [] are hereby repealed effective December 31, 1996:

(1) Chapter 321, Part XXX, (Tattoo Artists)

(2) Chapter 321, Part XXXI, (Midwives)

(3) Chapter 448F (Electrologists)

(4) Chapter 466J (Board of Radiologic Technology)

ACT 133

- (5) Sections 321-13 to 321-15 (laboratory directors, laboratory technologists, laboratory supervisors, laboratory technicians, and sanitarians)
- (6) Sections 431:10A-116(4) and 432:1-605 (Mammogram Screening)
- (h) The following chapters are hereby repealed effective December 31,

1997:

- (1) Chapter 438 (Board of Barbers)
- (2) Chapter 448 (Board of Dental Examiners)
- (3) Chapter 455 (Board of Examiners in Naturopathy)
- (4) Chapter 459 (Board of Examiners in Optometry)
- (5) Chapter 471 (Board of Veterinary Examiners)
- (i) The following chapters are hereby repealed effective December 31,

1998:

- (1) Chapter 373 (Commercial Employment Agencies)
- (2) Chapter 441 (Cemetery and Funeral Trusts)
- (3) Chapter 443B (Collection Agencies)
- (4) Chapter 463 (Board of Private Detectives and Guards)
- (5) Chapter 468 (Solicitors; Business of Taking Orders)
- (j) The following chapters are hereby repealed effective December 31,

1999:

- (1) Chapter 436E (Board of Acupuncture)
- (2) Chapter 442 (Board of Chiropractic Examiners)
- (3) Chapter 444 (Contractors License Board)
- (4) Chapter 448E (Board of Electricians and Plumbers)
- (5) Chapter 464 (Professional Engineers, Architects, Surveyors and Landscape Architects)
- (6) Chapter 465 (Board of Psychology)
- (7) Chapter 468E (Speech Pathology and Audiology)
- (k) The following chapters are hereby repealed effective December 31,

2000:

- (1) Chapter 439 (Board of Cosmetology)
- (2) Chapter 448F (Electrologists)
- (3) Chapter 454 (Mortgage Brokers and Solicitors)
- (4) Chapter 454D (Real Estate Collection Servicing Agents)
- (5) Chapter 466 (Board of Public Accountancy)
- (6) Chapter 466K (Real Estate Appraisers)
- (7) Chapter 467 (Real Estate Commission)
- (l) The following chapter is hereby repealed effective December 31, 2001:
 - (1) Chapter 458 (Board of Dispensing Opticians)

SECTION 3. Section 458-6.8, Hawaii Revised Statutes, is amended to read as follows:

“**[§458-6.8] Certificate to engage in the business of dispensing optician; application; issuance.** (a) Before engaging in the business of dispensing optician, a firm, including a sole proprietorship for which the proprietor is to be a licensed dispensing optician, shall first be issued a certificate of dispensing optician by the board.

(b) Each application shall be on forms prescribed by the board and shall contain:

- (1) The name of the licensed dispensing optician who will be employed at that business address;
- (2) The names and experience of each person who will take facial measurements, fit or adjust lenses or frames, or duplicate lenses; and

- (3) Such other information as the board requires. The application shall bear the signature of the proprietor if the applicant is a sole proprietorship, partner if the applicant is a partnership, or a president or secretary if the applicant is a corporation, and shall contain the name under which the applicant proposes to do business and the business address. [Separate applications shall be made for each place of business, and each application shall be accompanied by the application and registration fees.]

(c) The board shall establish the procedures for issuing certificates of dispensing opticians and qualifications of firms applying to engage in the business of dispensing optician. Upon approval of an application for a certificate of dispensing optician and payment of a certificate fee, the board shall issue a certificate of dispensing optician within sixty days. [A separate certificate shall be required for each address where the business is to be conducted.] No application for certificate of dispensing optician shall be approved unless a licensed dispensing optician is to be employed at the place of business. The certificate shall authorize the applicant to engage in the business of dispensing optician. The certificate or a copy shall at all times be displayed in a conspicuous place at the place of business. The certificate shall not be transferable.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 1991.

(Approved May 22, 1991.)

Note

1. Edited pursuant to HRS §23G-16.5.