
SENATE BILL 6265

State of Washington**55th Legislature****1998 Regular Session****By** Senators Wood, Wojahn and Fairley

Read first time . Referred to Committee on .

1 AN ACT Relating to authorizing dispensing opticians to perform eye
2 refraction and modify existing prescriptions to reflect changes in
3 vision; amending RCW 18.34.020, 18.34.060, 18.34.050, 18.34.080,
4 18.34.120, 18.34.136, and 18.34.010; adding new sections to chapter
5 18.34 RCW; recodifying RCW 18.34.010 and 18.34.060; and repealing RCW
6 18.34.110.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 **Sec. 1.** RCW 18.34.020 and 1995 c 178 s 1 are each amended to read
9 as follows:

10 The term "secretary" wherever used in this chapter ((shall)) means
11 the secretary of health of the state of Washington. The term
12 "apprentice" wherever used in this chapter ((shall)) means a person who
13 ((shall be)) is designated an apprentice in the records of the
14 secretary at the request of a physician, registered optometrist, or
15 licensee hereunder, who shall thereafter be the primary supervisor of
16 the apprentice. The apprentice may thereafter receive from a
17 physician, registered optometrist, or licensee hereunder training and
18 direct supervision in the work of a dispensing optician. The term
19 "refracting" whenever used in this chapter means the measurement of the

1 powers or range of a person's vision by the use of a series of lenses
2 and their rotation to determine the degree of correction needed to
3 compensate for hyperopia, myopia, presbyopia, astigmatism, or any
4 combination of these. "Prescription" means the written directive from
5 an ophthalmologist or optometrist for corrective lenses and consists of
6 the refractive powers. If the patient wishes to purchase contact
7 lenses, the prescription must contain a notation that the patient is
8 "o.k. for contact" or similar language confirming there are no
9 contraindications for contacts. "Prescription modification" whenever
10 used in this chapter means the ability of a certified refracting
11 optician to alter a prescription within plus or minus 2.00 diopters and
12 to give the patient a copy of the changes to take with him or her to a
13 provider of choice.

14 **Sec. 2.** RCW 18.34.060 and 1957 c 43 s 6 are each amended to read
15 as follows:

16 A dispensing optician is a person who prepares duplications of, or
17 prepares and dispenses lenses, spectacles, eyeglasses and/or
18 appurtenances thereto to the intended wearers thereof on written
19 prescriptions from physicians or optometrists, and in accordance with
20 ((such)) the prescriptions, measures, adapts, adjusts and fabricates
21 ((such)) the lenses, spectacles, eyeglasses and/or appurtenances
22 thereto to the human face for the aid or correction of visual or ocular
23 anomalies of the human eye((:—PROVIDED, HOWEVER, That)). However,
24 contact lenses may be fitted only upon a written prescription of a
25 physician or optometrist. A refracting optician is a licensed
dispensing optician in the state who has been certified to practice
refraction and who has been authorized by the secretary to modify
prescriptions.

29 **Sec. 3.** RCW 18.34.050 and 1984 c 287 s 32 are each amended to read
30 as follows:

31 The dispensing optician examining committee shall meet at such
32 times as deemed necessary by the secretary to prepare and administer
33 the state's licensing examinations and to provide technical expertise,
34 advise, and make recommendations to the secretary on the administration
35 of the dispensing optician statute and disciplinary matters of
36 licensees. The examining committee ((shall)) consists of ((three))
37 four persons. Three persons must be primarily engaged in the business

1 of dispensing opticians and ((who currently)) hold a ((valid)) current
2 license under this chapter. One member must be a member of the general
3 public. Members of the committee shall be compensated in accordance
4 with RCW 43.03.240 and shall be reimbursed for travel expenses in
5 accordance with RCW 43.03.050 and 43.03.060.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.34 RCW
7 to read as follows:

8 An applicant for certification as a refracting optician must first
9 be licensed as a dispensing optician by the state and meet the
10 following educational requirements approved by the secretary:

11 (1) Completion of eighty hours of coursework including, but not
12 limited to, the following topics: Theory of refraction, anatomy,
13 pathology, and knowledge of equipment operation;

14 (2) Completion of a twenty-hour practicum. The twenty hours are
15 under the direct supervision of a licensed optometrist or a licensed
16 ophthalmologist;

17 (3) Continuing education requirements as determined by the
18 secretary.

19 The secretary shall adopt by rule the examination requirements to
20 certify refracting opticians. An applicant for certification as a
21 refracting optician may take the examination if he or she pays an
22 examination fee, determined by the secretary, as provided in RCW
23 43.70.250.

24 **Sec. 5.** RCW 18.34.080 and 1995 c 198 s 3 are each amended to read
25 as follows:

26 (1) The examination to license a dispensing optician shall
27 determine whether the applicant has a thorough knowledge of the
28 principles governing the practice of a dispensing optician which is
29 hereby declared necessary for the protection of the public health. The
30 examining committee may approve an examination prepared or administered
31 by a private testing agency or association of licensing authorities.
32 The secretary shall license successful examinees and the license shall
33 be conspicuously displayed in the place of business of the licensee.

34 (2) The examination to certify a refracting optician shall
35 determine whether the applicant has a thorough knowledge of the
36 principles governing the practice of refraction. The examining
37 committee may approve an examination prepared or administered by a

1 private testing agency or association. The secretary shall certify
2 successful examinees and the certification shall be conspicuously
3 displayed in the place of business of the certified licensee.

4 **Sec. 6.** RCW 18.34.120 and 1996 c 191 s 18 are each amended to read
5 as follows:

6 Each licensee ((hereunder)) or certificate holder under this
7 chapter shall pay a renewal registration fee determined by the
8 secretary as provided in RCW 43.70.250 and 43.70.280. The secretary
9 may adopt rules establishing mandatory continuing education
10 requirements to be met by persons applying for license or certificate
11 renewal.

12 **Sec. 7.** RCW 18.34.136 and 1987 c 150 s 19 are each amended to read
13 as follows:

14 The uniform disciplinary act, chapter 18.130 RCW, governs
15 unlicensed practice, the issuance and denial of licenses, and the
16 discipline of licensees under this chapter. No person may practice or
17 represent himself or herself as a refracting optician without first
18 having a valid certificate to do so.

19 **Sec. 8.** RCW 18.34.010 and 1957 c 43 s 1 are each amended to read
20 as follows:

21 Nothing in this chapter shall:

22 (1) Be construed to limit or restrict a duly licensed physician or
23 optometrist or employees working under the personal supervision of a
24 duly licensed physician or optometrist from the practices enumerated in
25 this chapter, and each such licensed physician and optometrist shall
26 have all the rights and privileges which may accrue under this chapter
27 to dispensing opticians licensed hereunder;

28 (2) Be construed to prohibit an unlicensed person from performing
29 mechanical work upon inert matter in an optical office, laboratory, or
30 shop;

31 (3) Be construed to prohibit an unlicensed person from engaging in
32 the sale of spectacles, eyeglasses, magnifying glasses, goggles,
33 sunglasses, telescopes, binoculars, or any such articles which are
34 completely preassembled and sold only as merchandise;

35 (4) Be construed to authorize or permit a licensee ((hereunder))
36 under this chapter to hold himself or herself out as being able to, or

1 to offer to, or to undertake to attempt, by any manner of means, to
2 ((examine or)) exercise eyes, diagnose, treat, ((correct,)) relieve,
3 operate, or prescribe for any human ailment, ((deficiency,)) deformity,
4 disease, or injury.

5 If a certified refracting optician is unable to select lenses that
6 provide at a minimum 20/40 vision in either eye to the consumer, he or
7 she shall refer the consumer to a licensed optometrist or
8 ophthalmologist. If a certified refracting optician is unable to
9 select lenses that provide less than a two line difference of acuity
10 between the two eyes of a child under age ten, he or she shall refer
11 the child to a licensed optometrist or ophthalmologist. If a certified
12 refracting optician is observing change of more than plus or minus 2.00
13 diopter of power in either eye, he or she shall refer the consumer to
14 a licensed optometrist or ophthalmologist. A certified refracting
15 optician may only modify a prescription for a consumer that has had an
16 eye health exam within two years for contact lenses and within four
17 years for glasses.

18 NEW SECTION. Sec. 9. RCW 18.34.110 and 1991 c 3 s 78 & 1957 c 43
19 s 11 are each repealed.

20 NEW SECTION. Sec. 10. RCW 18.34.010, to be codified between RCW
21 18.34.141 and 18.34.900, and RCW 18.34.060, to be codified between RCW
22 18.34.020 and 18.34.030, are each recodified.

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