Rules and Regulations of the State of Georgia

Department 420 GEORGIA STATE BOARD OF DISPENSING OPTICIANS

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows.

f. -- filed

eff. -- effective

R. -- Rule (Abbreviated only at the beginning of the control number)

Ch. -- Chapter (Abbreviated only at the beginning of the control number)

ER. -- Emergency Rule

Rev. -- Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapter 420-1 entitled "Organization", 420-2 entitled "Registration Requirements", 420-3 entitled "Professional Functions", 420-4 entitled "Conduct", and 420-5 entitled "Licenses" have been adopted. Filed and effective June 30, 1965.

Rule 420-3-.03 has been repealed. Filed February 24, 1969; effective March 16, 1969, as specified by the Agency.

Chapter 420-6 entitled "Definitions" has been adopted. Filed April 14, 1969; effective May 3, 1969.

Rule 420-4-.01 has been repealed and a new Rule adopted. Filed June 29, 1971; effective July 19, 1971.

Rule 420-5-.01 has been amended. Filed June 4, 1975; effective June 24, 1975.

Chapter 420-7 entitled "Procedural Rules" has been adopted. Filed February 2, 1977; effective February 22, 1977.

Chapter 420-8 entitled "Practical Training and Experience" has been adopted. Filed February 28, 1977; effective March 20, 1977.

Chapter 420-9 entitled "Continuing Education" has been adopted. Filed March 24, 1977; effective April 13, 1977.

Rule 420-1-.01 has been amended. Filed March 3, 1981; effective March 23, 1981.

Chapters 420-2, 420-6, and 420-8 have been repealed and new Chapters adopted. Rule 420-5-.01 has been repealed and a new Rule adopted. Rule 420-5-.02 has been repealed.

Rule 420-5-.04 has been adopted. Filed March 3, 1981; effective March 23, 1981.

Chapter 420-10 entitled "Fees" has been adopted. Filed July 8, 1982; effective July 28, 1982.

Rules 420-2-.01, 420-9-.01, and 420-10-.01 have been repealed and new Rules adopted.

Rule 420-4-.02 has been amended. Filed August 7, 1984; effective August 27, 1984.

Rule 420-3-.04 has been repealed. Rule 420-3-.05 has been repealed and a new Rule adopted. Rule 420-4-.02 has been amended. Filed December 5, 1984; effective December 25, 1984.

Rule 420-3-.05 has been repealed. Filed March 27, 1985; effective April 16, 1985.

Rule 420-5-.01 and 420-8-.01 have been amended. Filed February 4, 1986; effective February 24, 1986.

Rule 420-5-.01 has been amended. Filed May 9, 1986; effective May 29, 1986.

Rule 420-9-.01 has been amended by the repeal of paragraph (2). Filed December 2, 1986; effective December 22, 1986.

Rule 420-9-.02 entitled "Continuing Education Program" has been adopted. Filed July 28, 1989; effective August 17, 1989.

Chapter 420-9 has been repealed and a new Chapter of the same title adopted. Filed March 30, 1990; effective April 19, 1990.

Rule 420-4-.03 has been adopted. Filed May 16, 1990; effective June 5, 1990.

Paragraph (2) of Rule 420-5-.01 has been amended. Filed May 16, 1990; effective June 5, 1990.

Rule 420-5-.04 has been repealed and a new Rule of same title adopted. Filed May 16, 1990; effective June 5, 1990.

Rule 420-2-.01 has been repealed and a new Rule of same title adopted. Filed July 2, 1991; effective July 22, 1991.

Rule 420-10-.01 has been amended. Filed December 11, 1995; effective December 31, 1995.

Rule 420-9-.02 has been amended. Filed May 21, 1997; effective June 10, 1997.

Rule 420-3-.02 has been repealed. Filed October 10, 1997; effective October 30, 1997.

Rules 420-2-.02, 420-9-.01, .02, 420-10-.01 have been amended; Rule 420-5-.04 has been repealed. Filed June 12, 1998; effective July 2, 1998.

Rule 420-4-.01 has been repealed and a new Rule of same title adopted. Filed September 14, 1999; effective October 4, 1999.

Rule 420-8-.01 has been repealed and a new Rule adopted. Filed March 28, 2003; effective April 17, 2003.

Rule 420-9-.02 has been repealed and a new Rule adopted. Filed February 26, 2004; effective March 17, 2004.

Rule 420-4-.02 has been repealed and a new Rule adopted. Filed August 12, 2004; effective September 1, 2004.

Rule 420-8-.01 has been repealed and a new Rule adopted. Filed May 10, 2005; effective May 30, 2005.

Rule 420-2-.01 has been repealed and a new Rule adopted. Filed August 18, 2005; effective September 7, 2005.

Rule 420-9-.01 has been repealed and a new Rule adopted. Filed May 30, 2006; effective June 19, 2006.

Rule 420-5-.01 have been repealed and new Rule adopted. Filed March 14, 2007; effective April 3, 2007.

Rules 420-5-.01 and 420-9-.01 have been repealed and new Rules adopted. Filed January 30, 2008; effective February 19, 2008.

Rule 420-8-.01 has been repealed and a new Rule adopted. Filed July 2, 2008; effective July 22, 2008.

Rule 420-9-.01 has been repealed and a new Rule adopted. Filed March 19, 2009; effective April 8, 2009.

Rules 420-1-.01, 420-2-.01, and 420-9-.01 have been repealed and New Rules adopted. Filed April 4, 2011; effective April 24, 2011.

Rules 420-4-.02 and 420-8-.01 amended. F. Aug. 20, 2013; eff. Sept. 9, 2013.

Rule 420-2-.01 amended. F. Nov. 13, 2013; eff. Dec. 3, 2013.

Rules 420-5-.01, 420-9-.01, and 420-9-.03 amended. F. Jan. 20, 2015; eff. Feb. 9, 2015.

Rule 420-2-.01 amended. F. Jan. 26, 2015; eff. Feb. 15, 2015.

Rule 420-5-.01 amended. F. Oct. 2, 2015; eff. Oct. 22, 2015.

Rules 420-2-.01 and 420-5-.01 amended. F. May 31, 2016; eff. June 20, 2016.

Rule 420-9-.01 amended. F. Apr. 18, 2017; eff. May 8, 2017.

Rule 420-2-.01 amended. F. Aug. 24, 2017; eff. Sep. 13, 2017.

Rule 420-5-.02 adopted. F. Nov. 8, 2017; eff. Nov. 28, 2017.

Rule 420-2-.01 amended. F. Aug. 9, 2019; eff. Aug. 29, 2019.

Rule 420-2-.02 repealed. F. Aug. 17, 2023; eff. Sept. 6, 2023.

Rule 420-2-.01 amended. F. Aug. 21, 2023; eff. Sept. 10, 2023.

Cite as Ga. Comp. R. & Regs. R. dept. 420, ADMINISTRATIVE HISTORY

Chapter 420-1. ORGANIZATION.

Rule 420-1-.01. Organization of Board.

The State Board of Dispensing Opticians consists of six members appointed by the Governor for a term of four years. The Board elects its own chairman and vice-chairman and its secretary shall be the Division Director of the Professional Licensing Boards Division of the Office of the Secretary of State. Any member of the public desiring information regarding the Board or its activities should contact the Georgia State Board of Dispensing Opticians at 237 Coliseum Drive, Macon, Georgia 31217-3858.

Cite as Ga. Comp. R. & Regs. R. 420-1-.01
Authority: Authority Ga. Code 84-101; as amended; Ga. L. 1978, p. 1960.; O.C.G.A. Secs. 43-1-2, 43-29-6.
History. Original Rule entitled "Organization of Board was filed and effective March 30, 1965.
Amended: Rule repealed and a new Rule of the same title adopted. Filed March 3, 1981; effective March 23, 1981.
Repealed: New Rule of the same title adopted. F. Apr. 4, 2011; eff. Apr. 24, 2011.

Chapter 420-2. REGISTRATION AND REQUIREMENTS.

Rule 420-2-.01. Registration (Renewal) and Reinstatement.

(1) All persons practicing as a dispensing optician shall register with the Division Director of the Professional Licensing Boards Division and shall pay a biennial registration fee on or before the March 31st renewal date each odd numbered year. Licenses may be renewed between April 1st and April 30th of each odd numbered year with payment of a late renewal penalty fee in addition to the renewal fee. Failure to renew a license by April 30th of each odd numbered year shall have the same effect as revocation of such license, making the license subject to reinstatement as set forth below. Individual licenses lapsed by operation of law may be considered for reinstatement by submission of an application approved by the Board, any supporting documents or other requirements as defined in 420-2-.01(3) below and paying the established reinstatement application fee.

(2) Any service member as defined in O.C.G.A. § 43-1-31 whose license to practice opticianry expired while serving on active duty outside the state shall be permitted to practice opticianry in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of her or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of her or her discharge from active duty or reassignment to a location with the state. The service member must present to the

board a copy of the official military orders, or a written verification signed by the service member's commanding officer to waive any charges.

(3) Reinstatement of an expired or lapsed license is at the discretion of the board. All applications may be subject to review by a designated Board member.

(a) An applicant for reinstatement of an expired or lapsed license must submit a completed reinstatement application provided by the Board, pay the required reinstatement application fee, and shall comply with one of the following:

1. An application for reinstatement of an expired or lapsed license submitted within two (2) years of the effective date of the expiration or lapse of that license must submit evidence of completion of fifteen (15) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the fifteen (15) hours, a minimum of two (2) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). Of the fifteen (15) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the fifteen (15) continuing education hours for reinstatement, no hours may be obtained or will be accepted for reinstatement via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four-hour day.

2. An application for reinstatement of an expired or lapsed license that's been lapsed or expired for more than two (2) years, but less than four (4) years, of the effective date of the expiration or lapse must submit evidence of completion of thirty (30) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the thirty (30) hours, a minimum of four (4) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). Of the thirty (30) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the thirty (30) continuing education hours for reinstatement, no hours may be obtained or will be accepted for reinstatement via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four-hour day.

3. An application for reinstatement of an expired or lapsed license that's been lapsed or expired for more than four (4) years of the effective date of the expiration or lapse must also submit evidence of completion of thirty (30) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the thirty (30) hours, a

minimum of four (4) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). Of the thirty (30) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the thirty (30) continuing education hours for reinstatement, no hours may be obtained or will be accepted for reinstatement via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four-hour day. In addition, the following must be submitted:

(i) Verification of current ABO/NCLE Certification.

(ii) Applicants for reinstatement under this rule who were licensed in Georgia before January 1, 1987, and who have continued to practice in the field of opticianry in another state or jurisdiction, and who currently and consistently have held a valid, unencumbered dispensing opticians license in that state shall not be required to provide current ABO/NCLE certification.

(b) If reinstatement is granted, any continued education hours credited for the reinstatement application shall not be used or applied towards the continuing education requirements for the renewal period following the date of reinstatement. Reinstated licenses may be subject to a continuing education hours audit at renewal after reinstatement of licensure.

4. The Board shall ratify the reinstatement of all licenses between Board meetings at the next scheduled Board meeting following the reinstatement.

Cite as Ga. Comp. R. & Regs. R. 420-2-.01
Authority: O.C.G.A. §§ 43-1-7, 43-1-25, 43-29-3(d), 43-29-6, 43-29-10.
History. Original Rule entitled "Registration" adopted. F. and eff. June 30, 1965.
Repealed: New Rule of same title adopted. F. Mar. 3, 1981; eff. Mar. 23, 1981.
Repealed: New Rule of same title adopted. F. Aug. 7, 1984; eff. Aug. 27, 1984.
Repealed: New Rule of same title adopted. F. July 2, 1991; eff. July 22, 1991.
Repealed: New Rule of same title adopted. F. Aug. 18, 2005; eff. Sept. 7, 2005.
Repealed: New Rule of the same title adopted. F. Apr. 4, 2011; eff. Apr. 24, 2011.
Amended: F. Nov. 13, 2013; eff. Dec. 3, 2013.
Amended: New title "Registration and Reinstatement." F. Jan. 26, 2015; eff. Feb. 15, 2015.
Amended: F. May 31, 2016; eff. June 20, 2016.
Amended: F. Aug. 24, 2017; eff. Sept. 13, 2017.
Amended: F. Aug. 9, 2019; eff. Aug. 29, 2019.
Amended: New title, "Registration (Renewal) and Reinstatement." F. Aug. 21, 2023; eff. Sept. 10, 2023.

Rule 420-2-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 420-2-.02
Authority: O.C.G.A. § 43-29-6.
History. Original Rule entitled "Certificate Lost or Destroyed" adopted. F. and eff. June 30, 1965.
Repealed: New Rule entitled "Certificate Lost, Destroyed, or Name Change" adopted. F. Mar. 3, 1981; eff. Mar. 23, 1981.
Amended: F. June 12, 1998; eff. July 2, 1998.
Repealed: F. Aug. 17, 2023; eff. Sept. 6, 2023.

Chapter 420-3. PROFESSIONAL FUNCTIONS.

Rule 420-3-.01. Change in Address.

A dispensing optician licensed under the laws of Georgia must inform the Secretary of the Georgia State Board of Dispensing Opticians of any change of mailing address. This must be done within ten days after the change is made.

Cite as Ga. Comp. R. & Regs. R. 420-3-.01
Authority: Ga. L. 1956, pp. 148, 151.
History. Original Rule entitled "Change in Address" was filed and effective on June 30, 1965.

Rule 420-3-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 420-3-.02
Authority: Ga. L. 1956, pp. 148, 151, 155.
History. Original Rule entitled "Display of Refracting Equipment" was filed and effective on June 30, 1965.
Repealed: F. Oct. 10, 1997; eff. Oct. 30, 1997.

Rule 420-3-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 420-3-.03
Authority: Ga. L. 1956, pp. 148, 151.
History. Original Rule entitled "Optical Dispensing Shall be 75% of Annual Gross Sales" was filed and effective on June 30, 1965.
Amended: Rule repealed. Filed February 24, 1969; effective March 16, 1969, as specified by the Agency.

Rule 420-3-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 420-3-.04
Authority: O.C.G.A. Sec. 43-29-6.
History. Original Rule entitled "Contact Lenses" was filed and effective on June 30, 1965.
Amended: Rule repealed. Filed December 5, 1984; effective December 25, 1984.

Rule 420-3-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 420-3-.05
Authority: O.C.G.A. Sec. 43-29-6.
History. Original Rule entitled "Rebates" was filed and effective on June 30, 1965.
Amended: Rule repealed and a new Rule of the same title adopted. Filed December 5, 1984; effective December 25, 1984.
Amended: Rule repealed. Filed March 27, 1985; effective April 16, 1985.

Rule 420-3-.06. Branch Office.

Any branch office of a licensed dispensing optician shall have to be under the direct supervision of a licensed dispensing optician.

Cite as Ga. Comp. R. & Regs. R. 420-3-.06
Authority: Ga. L. 1956, pp. 148, 151.
History. Original Rule entitled "Branch Office" was filed and effective on June 30, 1965.

Chapter 420-4. CONDUCT.

Rule 420-4-.01. All Work Under Supervision of Licensed Dispensing Optician.

Any trainee, apprentice, unlicensed optician, or any other person working for and under a licensed dispensing optician, optometrist, or physician shall not do optical dispensing unless he/she is working exclusively for and under the direct supervision of a licensed dispensing optician, optometrist, or physician and does not hold himself/herself out to the public generally as a dispensing optician. Direct supervision shall mean daily, onsite, close contact while optical dispensing is taking place within the retail establishment.

Cite as Ga. Comp. R. & Regs. R. 420-4-.01
Authority: O.C.G.A. Sec. 43-29-18.
History. Original Rule entitled "All Work Under Supervision of Licensed Dispensing Optician" adopted. F. and eff. June 30, 1965.
Amended: F. June 29, 1971; eff. July 19, 1971.
Repealed: New Rule of same title adopted. F. Sept. 14, 1999; eff. Oct. 4, 1999.effective July 19, 1971.
Amended: F. Sept. 14, 1999; eff. Oct. 4, 1999.

Rule 420-4-.02. Unprofessional Conduct.

(1) Unprofessional conduct, fraud, deceit, or misrepresentation in the practice of optical dispensing shall include but not be limited to the following:

(a) the use of the title "doctor", or any abbreviation thereof by an "optical dispenser" except by a person duly licensed to practice medicine in this State or by a person who holds an approved degree of doctor of optometry when followed by the qualification "optometrist";

(b) any conduct or advertising of a character tending to deceive or mislead the public;

(c) aiding or abetting, either directly or indirectly in the conduct or advertising of any employer, firm or associate if such conduct or advertising conflicts with the foregoing regulations; or continuing the practice of optical dispensing with any such employer, firm or associate after the optical dispenser has received written notice from the Board of such conduct or advertising by the firm or associate;

(d) directly or indirectly participating in any manner in the division, assignment, rebate, splitting or refunding of service fees or cost of completed eye glasses, or part thereof, with a physician, optometrist or other person or persons.

(2) A licensed dispensing optician or Dispensing Optician Apprentice shall display either the title "Licensed Dispensing Optician" or 'Dispensing Optician Apprentice", or, the abbreviation "L.D.O." or "D.O.A." on a name tag or other similar form of identification during times when such person is providing direct patient care.

Cite as Ga. Comp. R. & Regs. R. 420-4-.02
Authority: O.C.G.A §§ 43-1-19, 43-29-3 and 43-29-6.
History. Original Rule entitled "Unprofessional Conduct" adopted. F. and eff. June 30, 1965.
Amended: F. Aug. 7, 1984; eff. Aug. 27, 1984.
Amended: F. Dec. 5, 1984; eff. Dec. 25, 1984.
Repealed: New Rule of same title adopted. F. Aug. 12, 2004; eff. Sept. 1, 2004.
Amended: F. Aug. 20, 2013; eff. Sept. 9, 2013.

Rule 420-4-.03. Code of Ethics.

The following code of ethics is hereby adopted by the Board to govern and as a guide for the conduct of licensed dispensing opticians in the practice of opticianry in this state. Each licensed optician shall:

(a) Keep the visual welfare of the customer uppermost at all times;

(b) Promote in every possible way the better care of the visual needs of the citizens of this state;

(c) Enhance continuously his/her educational and technical proficiency to the end that his/her customers shall receive the benefits of all acknowledged improvements in visual care;

(d) See that no worthy person shall lack for opticianry service regardless of the financial status of the person;

(e) Advise each customer whenever consultation with an Optometrist or Ophthalmologist for professional care seems advisable;

(f) Hold in confidence all information concerning a customer and use such data only for the benefit of the customer;

(g) Conduct himself/herself as an exemplary citizen;

(h) Maintain his office and practice in harmony with true professional standards;

(i) Maintain and promote cordial and useful mutual relationships with members of his profession and other professions for the interchange of information for the advantage of mankind; and

(j) Refrain from any exaggeration of a customer's condition.

Cite as Ga. Comp. R. & Regs. R. 420-4-.03
Authority: O.C.G.A. Sec. 43-29-6.
History. Original Rule entitled "Code of Ethics" adopted. F. May 16, 1990; eff. June 5, 1990.

Chapter 420-5. LICENSES.

Rule 420-5-.01. Application and Examination Requirements.

(1) The optical dispensing practical examination shall be held a minimum of twice a year.

(2) Only complete applications submitted with the required fee and all attachments and documents will be accepted by the Board. Each application must be accompanied by the following attachments:

(a) A Secure and Verifiable Document and Affidavit of Citizenship as defined in Code Section 50-36-2;

(b) Copy of high school diploma or its equivalent as defined by the State Board of Education;

(c) If applying on the basis of education, the applicant must have satisfactorily completed an opticianry degree or diploma from a recognized school of ophthalmic dispensing approved by the Board as defined in 420-5-.01(d) below. An official college transcript and copy of diploma or degree indicating the graduation date must accompany the application.

(d) A recognized school of ophthalmic dispensing as referenced in OCGA 43-29-7(b)(4), is one which provides an ophthalmic dispensing program which shall include approved curriculum of opticianry courses leading to a diploma, degree or certificate that is approved by the Technical College System of Georgia (TCSG). Recognition may be granted to other opticianry educational programs by the Georgia State Board of Dispensing Opticians on a provisional basis pending

application, acceptable quarterly reports on progress to the board. Failure to report acceptable progressive reports quarterly will result in withdrawal of recognition of the program by the Georgia State Board of Dispensing Opticians.

(e) Applicants applying on the basis of education and experience must submit a transcript and an affidavit that specifies total course clock hours completed from a program. The applicant must also furnish an affidavit of work hours engaged in ophthalmic dispensing activities approved by the Board while under the direct supervision of a Georgia licensed optician, a Georgia licensed physician or a Georgia licensed optometrist. The total combined number of hours must be a minimum of 3000 hours; and not less than two calendar years;

(f) Applicants applying on the basis of practical experience shall furnish an affidavit of work hours engaged in ophthalmic dispensing activities approved by the Board while under the direct supervision of a Georgia licensed optician, a Georgia licensed physician or a Georgia licensed optometrist. The total of hours must be a minimum of 3,000 hours and not less than two calendar years;

(g) Applicants applying on the basis of formal home study programs through the Ophthalmic Career Progression Program with the National Academy of Opticianry or other programs approved by the board must furnish an affidavit of having successfully completed the program.

(3) Subject matter of examination shall be related to ophthalmic dispensing.

(4) Prior to issuance of a license, applicant must submit current National Opticianry Competency Examination (NOCE or ABO Basic) and Contact Lens Registry Examination (CLRE or NCLE Basic) certifications in addition to certification of completion of the ABO Practical and NCLE Practical exams.

Cite as Ga. Comp. R. & Regs. R. 420-5-.01
Authority: O.C.G.A. §§ 43-29-6, 43-29-7.
History. Original Rule entitled "Examination Requirements" adopted. F. and eff. June 30, 1965.
Amended: F. June 4, 1975; eff. June 24, 1975.
Repealed: New Rule of same title adopted. F. Mar. 3, 1981; eff. Mar. 23, 1981.
Amended: F. Feb. 4, 1986; eff. Feb. 24, 1986.
Amended: F. May 9, 1986; eff. May 29, 1986.
Amended: F. May 16, 1990; eff. June 5, 1990.
Repealed: New Rule entitled "Application and Examination Requirements" adopted. F. Mar. 14, 2007; eff. Apr. 3, 2007.
Repealed: New Rule of same title adopted. F. Jan. 30, 2008; eff. Feb. 19, 2008.
Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.
Amended: F. Oct. 2, 2015; eff. Oct. 22, 2015.
Amended: F. May 31, 2016; eff. June 20, 2016.

Rule 420-5-.02. Military Spouses and Transitioning Service Members Licensure by Endorsement.

The Board will consider applications by Endorsement for military spouses and transitioning service members as defined in O.C.G.A. § 43-1-34 (2017) subject to the following:

(a) As used in this rule, the following terms shall mean:

1. "Military" means the United States armed forces, including the National Guard.

2. "Military spouse" means a spouse of a service member or transitioning service member.

3. "Service member" means an active or reserve member of the armed forces, including the National Guard.

4. "Transitioning service member" means a member of the military on active duty status or on separation leave who is within 24 months of retirement or 12 months of separation.

(b) A military spouse or transitioning service member may qualify for a license by endorsement where the applicant:

1. Holds a license in good standing from another state for which the training, experience, and testing substantially meet or exceed the requirements to obtain a license as a Dispensing Optician in Georgia;

2. Has submitted to the Board a verification of licensure from the appropriate licensing agency of another state showing that the applicant's active license is in good standing in that state;

3. Has submitted documentation satisfactory to the Board which verifies the applicant's status as a military spouse or transitioning service member as defined in O.C.G.A. § 43-1-34; and

4. Has submitted a completed application for licensure by endorsement on a form approved by the Board, has paid the required fee.

(c) Effective July 1, 2017, military spouses and transitioning service members may qualify for expedited processing of the license application by showing that the applicant is a military spouse or transitioning service member and that the applicant has paid the fee and meets the requirements for a license under the laws and rules for the type of license for which the applicant has applied.

Cite as Ga. Comp. R. & Regs. R. 420-5-.02
Authority: O.C.G.A. §§ 43-1-34, 43-29-3, 43-29-6.
History. Original Rule entitled "Licensee in Military Service" was filed and effective on June 30, 1965.

Amended: Rule repealed. Filed March 3, 1981; effective March 23, 1981.
Adopted: New Rule entitled "Military Spouses and Transitioning Service Members Licensure by Endorsement". F. Nov. 8, 2017; eff. Nov. 28, 2017.

Rule 420-5-.03. Revocations; Suspension.

Any violation of the provisions of law governing Optical Dispensing or of any rules and regulations of the Board of Dispensing Opticians shall be cause for suspension or revocation of the license of the offender. Upon a verified complaint against any dispensing optician of such violation, the Board after careful investigation, may conduct a hearing to determine whether the license of such practitioner shall be suspended or revoked. At least fifteen days prior to holding such hearing written notice thereof shall be transmitted to the person charged by course of United States Registered Mail, with return receipt requested, addressed to him at the last known place of residence. The notice shall recite the nature of the charge, the act or acts of the practitioner complained of, the provision of law or the regulation of the Board charged to have been violated, and the day, hour, and place at which the hearing will be held. The person charged shall be afforded opportunity to be present in person and by counsel at such hearing, with such witnesses as he may desire to produce. The Board may summon witnesses to testify to facts pertinent to the inquiry. Proceedings at the hearing shall be recorded and transcribed, and the person charged shall be entitled to receive upon request a copy of such transcription. If the Board, upon consideration, shall determine that the person charged has been guilty of a violation of the provision of the statute or the rule of the Board specified in the notice, the Board shall suspend or revoke any certificate and any license which may be issued to such person, otherwise the complaint shall be dismissed. Upon such suspension or revocation the Board may in its discretion impose such terms and conditions as in its judgement shall be considered just. Any action taken as a result of such hearing shall have the concurrence of a majority of the Board. In addition, the provisions of the Georgia Administrative Procedure Act dealing with contested cases are applicable.

Cite as Ga. Comp. R. & Regs. R. 420-5-.03
Authority: Ga. L. 1956, pp. 148, 151, 156.
History. Original Rule entitled "Revocation; Suspension" was filed and effective on June 30, 1965.

Rule 420-5-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 420-5-.04
Authority: Ga. L. 1956, pp. 148, 154; Ga. L. 1978, p. 1960; Ga. L. pp. 1101, 1104; O.C.G.A. Sec. 43-29-6.
History. Original Rule entitled "Reciprocity" was filed on March 3, 1981; effective March 23, 1981.
Repealed: New Rule, same title, adopted. F. May 16, 1990; eff. June 5, 1990.
Repealed: F. Jun. 12, 1998; eff. July 2, 1998.

Chapter 420-6. DEFINITIONS.

Rule 420-6-.01. Dispensing Opticians.

(1) A "dispensing optician" is anyone who prepares, fits and dispenses prescription lenses, spectacles, eyeglasses, contact lenses, or any other type of vision-correcting optical device to the intended user.

(2) A person will be considered as within this definition who does any one or a combination of the following practices:

(a) Interprets optical prescriptions issued by an ophthalmologist, optometrist or physician for the lab optician who fabricates vision-correcting optical lenses;

(b) Measures inter-ocular or pupillary distances to determine the proper position of vision-correcting lenses;

(c) Determines the necessary type or shape of lenses or position of multi-focal segments and optical centers for the intended wearer of vision-correcting optical lenses;

(d) Measures any part of a person's face or head for the purpose of adapting any vision-correcting optical device thereto;

(e) Adapts or aligns frames with vision-correcting lenses to the face of the intended wearer.

(3) Although the Act does not require licensing of those lab opticians or persons who perform merely mechanical work upon inert materials in an optical office or laboratory, it does anticipate that dispensing opticians will, in addition to the above skills, have a basic knowledge of these laboratory techniques. The responsibility to the public for correct grinding and lens preparation, etc., is placed in the hands of the dispensing optician or fitter, and this is the person the Act seeks to control by requiring that he be qualified and licensed.

Cite as Ga. Comp. R. & Regs. R. 420-6-.01
Authority: Ga. L. 1956, pp. 148, 149; Ga. L. 1968, p. 1360.
History. Original Rule entitled "Dispensing Opticians" was filed on April 14, 1969; effective May 3, 1969.
Amended: Rule repealed and a new Rule of the same title adopted. Filed March 3, 1981; effective March 23, 1981.

Chapter 420-7. PROCEDURAL RULES.

Rule 420-7-.01. Procedural Rules.

The Georgia State Board of Dispensing Opticians hereby adopts by reference as its permanent rules Chapters 295-3 through 295-13, and any future amendments thereto, Rules and Regulations of the Office of Joint Secretary, State Examining Boards, relating to Procedure for Hearings before the several State Examining Boards.

Cite as Ga. Comp. R. & Regs. R. 420-7-.01
Authority: Ga. L. 1956, pp. 151, 152.
History. Original Rule was filed on February 2, 1977; effective February 22, 1977.

Chapter 420-8. PRACTICAL TRAINING AND EXPERIENCE.

Rule 420-8-.01. Practical Training and Experience.

In order to be admitted to the examination pursuant to that provision of O.C.G.A. § 43-29-7(b)(4) which provides "practical training and experience of a grade and character satisfactory to the Board for not less than two years under the supervision of a dispensing optician, a licensed physician, or a licensed optometrist: Provided, however, that any time spent in a recognized school shall be considered as a part of the apprenticeship period provided herein", the applicant must submit documentation to the Board with his/her application to establish the satisfaction of such provisions, the satisfaction of which will be determined under the following standards:

(a) Effective July 1, 2008, any person wishing to qualify under the apprenticeship statute shall make application to register with the Board prior to beginning the apprenticeship along with the application fee as determined by the Board. The registration shall identify the supervising licensed physician, licensed optometrist, or licensed dispensing optician and the mailing address and telephone number of the primary location where the apprenticeship training shall occur; provided, however, that in addition to the primary location, such training may be furnished at other locations under proper supervision.

(b) "Practical training and experience of a grade and character satisfactory to the Board for not less than two years" means two (2) calendar years and shall include, at a minimum, 3,000 hours experience engaged in apprenticeship functions and studies which shall include (but not be limited to) instruction in ophthalmic optics, optical laboratory materials and techniques, eye anatomy and physiology, related laws and regulations, ophthalmic dispensing theory and application, and basic contact lens theory.

(c) Instruction may also be evidenced by certificates from recognized schools of opticianry with the Georgia Department of Technical and Adult Education or formal home study programs through the Career Progression Program with the National Academy of Opticianry or other programs approved in advance by the Board.

(d) "Under the supervision of a licensed dispensing optician, licensed physician or a licensed optometrist" means that the appropriate licensed practitioner(s) must be on the premises where the practical training and experience is being acquired for every hour of apprenticeship sought to be considered in fulfillment of this requirement.

(e) There may be no more than three (3) apprentices under a supervising sponsor at any given time.

Apprentices must cause a current supervising sponsor to submit to the Board in writing that they are no longer the apprentices sponsor, and the reason for the disassociation in order for an apprentice to obtain a new supervising sponsor.

In order for an apprentice's hours earned under a prior supervising sponsor to be counted, the apprentice must cause the prior supervising sponsor to sign off on a board approved form to be submitted with the application for licensure.

The forms for supervising sponsors are available on the Board's website, www.sos.ga.gov/plb/opticians .

(f) Upon completion by the applicant, such training and experience shall be certified by the supervising licensed dispensing optician, licensed physician or licensed optometrist to the board.

(g) Applicants who have received practical training and experience in the trade or occupation of dispensing optician prior to July 1, 2008, shall receive credit toward the practical training and experience requirements if they register with the board in accordance with the provisions of this rule no later than August 31, 2008 and such training and experience is deemed satisfactory by the board.

(h) The date that the application is received by the Georgia State Board of Dispensing Opticians will designate the actual commence date of the apprenticeship pending approval of the application.

Cite as Ga. Comp. R. & Regs. R. 420-8-.01
Authority: O.C.G.A §§ 43-29-6 and 43-29-7.
History. Original Rule entitled "Practical Training and Experience" adopted. F. Feb. 28, 1977; eff. Mar. 20, 1977.
Repealed: New Rule of same title adopted. F. Mar. 3, 1981; eff. Mar. 23, 1981.
Amended: F. Feb. 4, 1986; eff. Feb. 24, 1986.
Repealed: New Rule of same title adopted. F. Mar. 28, 2003; eff. Apr. 17, 2003.
Amended: F. May 10, 2005; eff. May 30, 2005.
Repealed: New Rule of same title adopted. F. July 2, 2008; eff. July 22, 2008
Amended: F. Aug. 20, 2013; eff. Sept. 9, 2013.

Chapter 420-9. CONTINUING EDUCATION.

Rule 420-9-.01. Continuing Education for License Renewals.

(1) Continuing Education courses totaling at least ten (10) hours shall be required for the biennial renewal of licenses. Of the ten (10) hours, a minimum of two (2) hours shall be in the area of contact lenses. Effective **04-01-2017**, of the ten (10) hours, one hour must be on Georgia Opticianry Laws and Rules. Effective **04-01-2017**, of the ten (10) hours, six (6) hours must be technically approved hours (which may be either spectacles or

contact lenses). Of the ten (10) hours, no more than five (5) hours may be obtained via the internet. Effective **04-01-2017**, of the ten (10) continuing education hours for renewal, no hours may be obtained or will be accepted for renewal via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four hour day.

(2) With his/her application for license renewal, each licensed dispensing optician must submit an affidavit of course hours completed as proof that his/her education requirements have been satisfied.

(3) No duplicate courses will be accepted during the same renewal period. No courses under the same title, by the same instructor, will be accepted for renewal purposes.

Cite as Ga. Comp. R. & Regs. R. 420-9-.01
Authority: O.C.G.A. §§ 43-29-3, 43-29-6.
History. Original Rule entitled "Continuing Education for License Renewals in January 1979 and Renewal Years Thereafter" adopted. F. Mar. 24, 1977; eff. Apr. 13, 1977.
Repealed: New Rule entitled "Continuing Education for License Renewals in March, 1985, and Renewal Years Thereafter" adopted. F. Aug. 7, 1984; eff. Aug. 27, 1984.
Amended: F. Dec. 2, 1986; eff. Dec. 22, 1986.
Repealed: New Rule of same title adopted. F. Mar. 30, 1990; eff. Apr. 19, 1990.
Amended: F. June 12, 1998; eff. July 2, 1998.
Repealed: New Rule entitled "Continuing Education for License Renewals" adopted. F. May 30, 2006; eff. June 19, 2006.
Repealed: New Rule of same title adopted. F. Jan. 30, 2008; eff. Feb. 19, 2008.
Repealed: New Rule of same title adopted. F. Mar. 19, 2009; eff. Apr. 8, 2009.
Repealed: New Rule of the same title adopted. F. Apr. 4, 2011; eff. Apr. 24, 2011.
Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.
Amended: F. Apr. 18, 2017; eff. May 8, 2017.

Rule 420-9-.02. Continuing Education Hours for New Licensees.

An optician licensed by examination during the first six months of the renewal period shall be required to obtain the full ten (10) hours of continuing education; if licensed during the following twelve months he/she shall be required to obtain five (5) hours of continuing education; if licensed during the last six months of the renewal period, he/she shall be exempt from the continuing education requirements for that renewal period only. The full requirement of ten (10) hours must be fulfilled each renewal period thereafter.

Cite as Ga. Comp. R. & Regs. R. 420-9-.02
Authority: O.C.G.A. Secs. 43-1-25, 43-29-6, 43-29-11.
History. Original Rule entitled "Continuing Education Program Approval" adopted. F. July 28, 1989; eff. August 17, 1989.
Repealed: New Rule entitled "Continuing Education Hours for Licensees" adopted. F. Mar. 30, 1990; eff. Apr. 19, 1990.
Amended: F. May 21, 1997; eff. June 10, 1997.
Amended: F. June 12, 1998; eff. July 2, 1998.

Repealed: New Rule of same title adopted. F. Feb. 26, 2004; eff. Mar. 17, 2004.

Rule 420-9-.03. Continuing Education Program Approval.

(1) The Board shall give credit for any course given by any recognized national, regional or state dispensing society or association if such courses are made available to all licensed opticians on a reasonably nondiscriminatory fee basis.

(a) Some examples, non-inclusive, of such recognized national or regional dispensing society or association are:

* Opticians Association of America (OAA)

*National Academy of Opticianry (NAO)

* South Eastern Opticians Conference (SEOC)

(b) Some examples, non-inclusive, of such recognized state dispensing society or association are:

* Opticians Association of Georgia (OAG)

* Professional Opticians of Florida (POF)

* North Carolina Opticians Association (NCOA)

* Tennessee Dispensing Opticians Association (TDOA)

* South Carolina Association of Opticians (SCAO)

(2) Any group of ten or more licensed opticians may arrange for an education program and they must request prior Board approval.

(3) Any program other than those sponsored by a national, regional or state society or association must submit said program approval by the Board ninety (90) days prior to the program date. The request shall include the following documents or information:

(a) Letter of request;

(b) Copy of proposed promotional material showing the name and date of the program;

(c) Location and time of program;

(d) Names of instructors and vitaes;

(e) Number of credit hours applied for;

(f) Method of notifying attendees; and

(g) Copy of attendance certificates to be used.

(4) The certificate of attendance shall not be issue d until the program is completed and the method of monitoring must be reported to the Board prior to the program date.

(5) Credit will be allowed on the basis of an hour for an hour. To receive one hour credit, an optician must attend a class for one full hour. However, the Georgia Board will accept no more than eight (8) hours of continuing education obtained in one twenty-four (24) hour day.

(6) Post-approval of continuing education courses will not be granted.

Cite as Ga. Comp. R. & Regs. R. 420-9-.03
Authority: O.C.G.A. §§ 43-29-6 and 43-29-11.
History. Original Rule entitled "Continuing Education Program Approval" adopted. F. Mar. 30, 1990; eff. Apr. 19, 1990.
Amended: F. Jan. 20, 2015; eff. Feb. 9, 2015.

Chapter 420-10. FEES.

Rule 420-10-.01. Fees.

The required fee must accompany the appropriate applications as noted in the following schedule:

(a) Application fee for examination--Per schedule of fees adopted by the Board;

(b) Examination fee--per schedule of fees adopted by the Board;

(c) Application fee for reciprocity--per schedule of fees adopted by the Board;

(d) Biennial renewal--per schedule of fees adopted by the Board;

(e) Delinquent renewal penalty--per schedule of fees adopted by the Board;

(f) Duplicate certificate--per schedule of fees adopted by the Board;

Cite as Ga. Comp. R. & Regs. R. 420-10-.01
Authority: O.C.G.A. Sec. 43-29-6.
History. Original Rule entitled "Fees" was filed on July 8, 1982: effective July 28, 1982.
Amended: Rule repealed and a new Rule of the same title adopted. Filed August 7, 1984; effective August 27,

1984.
Amended: F. Dec. 11, 1995; eff. Dec. 31, 1995.
Amended: F. Jun. 12, 1998; eff. July 2, 1998.