

Opt 1 to 10

Filed February 8, 1962

ORDER OF THE  
WISCONSIN BOARD OF EXAMINERS IN OPTOMETRY  
ADOPTING, AMENDING OR REPEALING RULES

Pursuant to authority vested in Wisconsin Board of Examiners in Optometry by section 153.03(4) Wis. Stats., the said Board hereby repeals, amends, and adopts rules as follows:

Sections 1.01 to 10.23 of the Rules of Board of Examiners in Optometry are repealed.

Sections 1.01 to 8.08 of the Rules of Board of Examiners in Optometry are adopted to read:

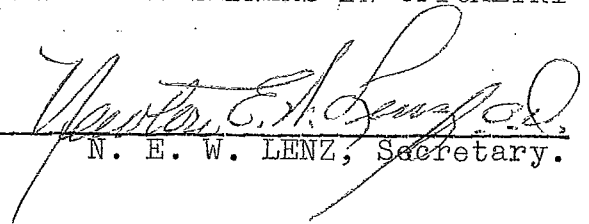
(Hear set forth the text of the sections created)

The rules, amendments, and repeals contained herein shall take effect on April 1, 1962, as provided in section 153.03(4).

Dated: February 3, 1962

BOARD OF EXAMINERS IN OPTOMETRY

BY:

  
N. E. W. LENZ, Secretary.

SEAL

STATE OF WISCONSIN)

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DEPT. OF BOARD OF EXAMINERS IN OPTOMETRY)

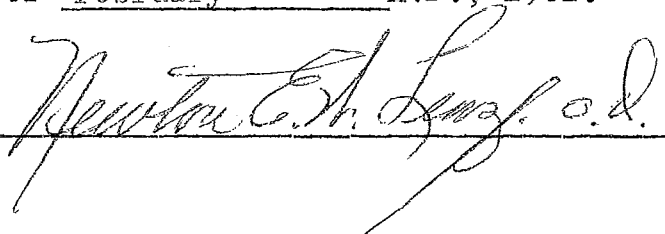
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, N. E. W. LENZ, Secretary of the Board of Examiners In Optometry, and custodian of the official records of said board, do hereby certify that the annexed rules and regulations relating to Optometry, were duly approved and adopted by this board on this third day of February, 1962.

I further certify that said copy has been compared by me with the original on file in this board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this third day of February A.D., 1962.

SEAL

  
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Newton E. W. Lenz, O.D.

WISCONSIN ADMINISTRATIVE CODE

Rules of

Board of Examiners in Optometry

Chapter Opt 1

PRACTICE OF OPTOMETRY

1       Opt. 1.01 Definitions and interpretations. (1) The operation  
2 of devices for remedial or corrective purposes shall be considered  
3 as included under the term "Mechanical Therapy".

4       (2) The measurement for, and the fitting and adapting of  
5 contact lenses and other visual aids, shall be considered the  
6 practice of optometry.

7       Opt 1.02 Change of address. It shall be the responsibility  
8 of each licensed optometrist to keep the board informed of his  
9 current address and place of practice.

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Chapter Opt 2

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ORGANIZATION OF THE BOARD

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13       Opt 2.01 Procedure. Unless otherwise specified, Demeter's  
14 Manual of Parliamentary Law and Procedure shall be the guide for  
15 all business meetings of the board.

16       Opt 2.02 Officers. The officers of this board shall be a  
17 president, vice president and secretary who shall be elected at  
18 the fall meeting of the board.

19       Opt 2.03 Delegate. The board may elect a delegate or delegates  
20 to the annual meeting of the international association of boards of  
21 examiners in optometry and may remunerate such delegate in ac-  
22 cordance with the law.



1 examination preceding the date of graduation.

2 Students desiring to take advantage of the above policy, shall  
3 obtain and present written approval from the college, as well as a  
4 statement from the college, verifying the fact that the student is  
5 scheduled to graduate on the stated date, and that his college  
6 record is such that, if maintained, he will graduate on that date.  
7 If possible, those entering military service should present evidence  
8 to substantiate that fact.

9 Although this policy has been adopted primarily for those  
10 entering service, the board may accept any student under this policy  
11 if he has the approval and consent of his college authorities and if,  
12 in the opinion of this board, the circumstances warrant the action.

13 The board may establish limits as to time, eligibility, etc.,  
14 if the privilege hereby granted is abused, or if such becomes neces-  
15 sary for any other reason.

16 The board may accept or reject any such application.

17 The awarding of a license to practice to a successful candidate  
18 will be postponed until the time he would have received his license  
19 had he taken the examination in the conventional manner.

20 (3) A certified record of high school credits and of pre-  
21 optometric college credits.

22 (4) A recent unmounted identification photograph attached to  
23 the application

24 Opt 3.02 Applicant's fee. (1) The examination fee shall  
25 accompany the application.

26 (2) Evidence to substantiate claims of residency must be  
27 submitted.

1 Chapter Opt 4

2 EXAMINATION OF APPLICANTS

3 Opt 4.01 Time and place. The board of examiners shall fix a  
4 time and place for the examination.

5 Opt 4.02 Unauthorized assistance. An applicant who gives or  
6 receives unauthorized assistance during the written, oral or clinical  
7 examination shall be dismissed from the examination. Future con-  
8 sideration of such dismissal shall be in the discretion of the board.

9 Opt 4.03 Controls. Time limits and other necessary controls  
10 may be announced by the president of the board or examiner prior  
11 to the examinations.

12 Opt 4.04 Clinical examination. The board may conduct a  
13 practical clinical examination if deemed advisable. This ex-  
14 amination may be conducted in conjunction with the regular and  
15 written examination or may be held later at a time and place an-  
16 nounced by the president of the board. The board may admit all  
17 applicants to this practical examination or may limit it to only  
18 those who were successful in the written examination. The practical  
19 examination may consist of an actual demonstration of the appli-  
20 cant's ability to perform all or part of an optometric examination  
21 with the accompanying phases of optometric service and written and  
22 oral examination as the board sees fit.

23 Opt 4.05 Grading method. Each subject shall be graded on the  
24 basis of 100 points for a perfect paper. (1) The same basis shall  
25 apply to clinical and oral examinations.

26 (2) Each question shall be of equal value unless otherwise  
27 indicated on the examination paper.



1 before the examination. The board shall accept or reject the ap-  
2 plication at the first regular meeting following this 6 month period.

3 Opt 5.03 Reciprocity examinations. All rules of the standard  
4 examination and grading procedures shall apply to reciprocity  
5 examinations.

6 Chapter Opt 6

7 ISSUANCE OF LICENSE

8 Opt 6.01 Begin practice. Licensees shall be privileged to  
9 begin practice as soon as they are notified by the secretary that  
10 they passed the examinations and will be issued a license.

11 Opt 6.02 Certificate charge. The small certificate shall be  
12 issued to the licensee without charge, or he may have the large  
13 certificate upon payment of \$10.00.

14 Opt 6.03 One certificate. Only one certificate shall be issued  
15 to each licensee.

16 Opt 6.04 Duplicate certificates. Duplicate certificates may  
17 be obtained from the secretary of the board upon payment of \$10.00  
18 and the return of the original certificate or submission of a sworn  
19 statement that the original was destroyed and is no longer in  
20 existence.

21 Chapter Opt 7

22 UNPROFESSIONAL CONDUCT

23 Opt 7.01 Inspection. Information concerning place and mode of  
24 practice shall be furnished to the board by any licensed optometrist  
25 when such is requested, and every optometrist shall permit the in-  
26 spection of his office and equipment during office hours by any  
27 board member or representative of the board.



1        Opt 7.02 Affiliation with violator. Optometrists who are  
2 affiliated in any manner with those who violate any portion of the  
3 optometry law or the rules of the board will be considered as  
4 participating in the violation.

5        Opt 7.03 Improper use of title. It shall be unprofessional  
6 conduct for an optometrist to use the title "Doctor" in printed  
7 form unless he has actually been granted the title of doctor of  
8 optometry by an optometric college and unless he indicates that he  
9 is an optometrist.

10       Opt 7.04 Minimum examination. In the absence of compelling  
11 reasons to the contrary, it shall be considered unprofessional  
12 conduct for an optometrist to fail to make the following minimum  
13 examination in all cases and keep a permanent record thereof:

- 14       (1) Complete case history.
- 14a      (2) Visual acuity at far and at near.
  - 15            (a) Unaided.
  - 15a          (b) With last correction.
- 16       (3) Detailed report of the external examination.
- 16a      (4) Ophthalmoscopic examination (Media, Fundi, Blood vessels,  
17            Discs.
- 17a      (5) Corneal curvatures.
- 18       (6) Retinoscopy.
- 18a      (7) Amplitude of convergence and accommodation
- 19       (8) Phorias and ductions
- 19a      (9) Subjective findings, far and near.
- 20       (10) Fusion.
- 20a      (11) Stereopsis.
- 21       (12) Color vision.
- 21a      (13) Visual fields (confrontation).
- 22       (14) Prescription and visual acuity obtained, far and near.

23       Opt 7.05 Verification. It shall be unprofessional conduct for  
24 an optometrist to fail to verify before delivery the accuracy with  
25 which the prescriptions prepared by him are compounded.

26       Opt. 7.06 Unprofessional practices. The following practices,  
27 among others, constitute unprofessional conduct:

1 (1) The use of bold face type or any other means of attempting  
2 to attract special attention to himself in any telephone or other  
3 public directory.

4 (2) The use of stationery and professional cards containing  
5 other than the names, titles, office hours, location and telephone  
6 number.

7 (3) The use by an optometrist, on his stationery, card or  
8 printed matter, of a multiple title. (e.g., optometrist-optician;  
9 jeweler-optometrist; etc. The illustrations are not meant to be  
10 exclusive.

11 (4) The use of the title optometrist or other reference to his  
12 profession in the advertising of hearing aids or other articles.

13 (5) Failure to have or inability to operate adequate equipment  
14 and instruments in good working order and of such a character as is  
15 necessary to make the minimum examination as specified in Section  
16 7.04 of this code.

17 (6) The use of any advertising, by whatever media, containing  
18 other than the name of the duly licensed optometrist, his title,  
19 office hours, location or place of practice, telephone number and  
20 any one specialty.

21 (7) The use or representation of eyes, or glasses, or show cases  
22 or window displays, or ophthalmic equipment as advertising.

23 Chapter Opt 8

24 PROCEDURE

25 Opt 8.01 Petitions for promulgation of a rule. (1) FORM.

26 Petitions must be in written form.

27 (2) CONTENT. All petitions shall contain a statement of the

1 rule desired, the purpose of the rule, detailed reasons for adoption  
2 of the rule, and details of any specific or general cases in which  
3 it shall apply.

4 (3) PROCEDURE FOR SUBMISSION. All petitions must be presented  
5 to the secretary of the board in written form.

6 (4) PROCEDURE FOR CONSIDERATION. Petitions will be considered  
7 at the first subsequent meeting of the board.

8 (5) PROCEDURE FOR DISPOSITION. Petitions may be granted by  
9 majority vote of the entire board.

10 Opt 8.02 Petitions for amendments of a rule. (1) The form,  
11 content, procedure for submission, consideration and disposition  
12 shall be the same as for promulgation of a rule.

13 Opt 8.03 Petitions for repeal of a rule. (1) FORM. Petitions  
14 must be in written form.

15 (2) CONTENT. Petitions shall contain a statement of the rule  
16 in effect, objections to the rule and weakness of the present rule,  
17 and the effects of repealing the rule.

18 (3) PROCEDURE FOR SUBMISSION. Petitions for repeal from  
19 persons not members of the board must be presented to the president  
20 or secretary of the board at least 30 days prior to the meeting date

21 (4) PROCEDURE FOR CONSIDERATION. Petitions will be considered  
22 at the first subsequent meeting of the board.

23 (5) PROCEDURE FOR DISPOSITION. (a) Rules may be repealed by  
24 vote of the entire board. (b) Final action may be postponed pend-  
25 ing further investigation or hearings or for consultation with the  
26 office of attorney general,

27 Opt 8.04 Petitions for declaratory rulings as to the  
28 applicability of a specific rule. (1) FORM. Petitions must

1 be in written form.

2 (2) CONTENT. A petition must contain the following:

3 (a) Statement of rule involved.

4 (b) A complete statement containing all details and facts of  
5 the specific case.

6 (c) The effects of the rule on this case.

7 (3) PROCEDURE FOR SUBMISSION. All petitions must be presented  
8 to the secretary of the board in written form.

9 (4) PROCEDURE FOR CONSIDERATION. The secretary may: (a) Issue  
10 a declaratory ruling based on past decisions and interpretations.

11 (b) Consult the board.

12 (c) Consult the office of attorney general.

13 (5) PROCEDURE FOR DISPOSITION. The secretary of the board shall  
14 inform the petitioner in writing of the official ruling and, if the  
15 petitioner request, the matter shall be referred to the board for  
16 further consideration.

17 Opt 8.05 Procedure governing pleadings. (1) FORM. Pleadings  
18 shall be in written form.

19 (2) CONTENT. (a) The complaint shall contain a plain statement  
20 of the cause of the complaint, naming the person or persons com-  
21 plained against, with a reference to the applicable rule of the  
22 board or law governing the same and the demand for appropriate  
23 action by the board.

24 (b) The answer, other than admissions of the allegations of the  
25 complaint, shall state the defense of the respondent including  
26 mitigating circumstances, if any.

27 (c) All pleadings must be verified unless an admission of the

1 allegations may subject a party to prosecution for a felony.

2 (3) FILING. Three copies of all original proceedings shall  
3 be filed with the secretary of the board.

4 Opt 8.06 Procedure for service of notice. (1) FORM. All  
5 notices shall be in written form.

6 (2) CONTENT. All notices shall clearly state the time, place  
7 and purpose.

8 (3) NOTICE AND SERVICE. Notice and service shall conform to  
9 section 153.09 (1), Wisconsin Statutes.

10 Opt 8.07 Prehearing conferences. Prehearing conferences to  
11 determine the advisability or necessity of holding a formal hearing  
12 may be held at the convenience of the parties and shall be con-  
13 ducted by such member or members of the board as may be designated  
14 by the board for such purpose. A record shall be kept and pre-  
15 served of any agreement as to the issues or stipulation or ad-  
16 mission of fact which may be made at such conference. Such record  
17 shall be attached to the file and constitute a part of the official  
18 record of the case.

19 Opt 8.08 Procedure and practice. Procedure and practice shall  
20 conform with section 153.09 (1), Wisconsin Statutes.

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