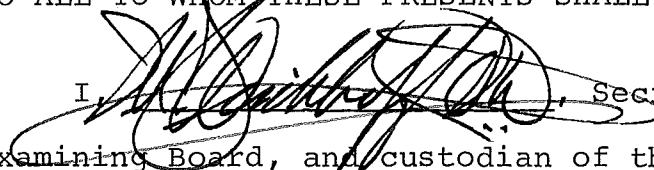


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CERTIFICATE

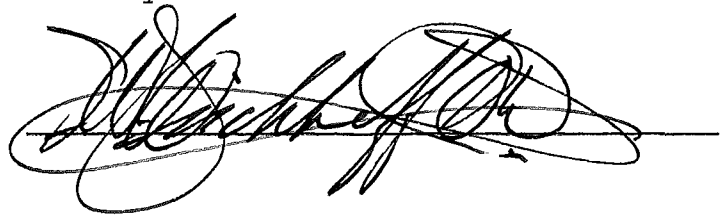
STATE OF WISCONSIN)
) SS
OPTOMETRY EXAMINING BOARD)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, , Secretary of the Optometry Examining Board, and custodian of the official records of said board, do hereby certify that the annexed rules and repeals relating to Chapters Opt 1 through 9, were duly approved and adopted by this board on DEC. 1, 1970.

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 board at 110 North Henry Street, in the city of Madison, this 1st day of December A.D. 1970.

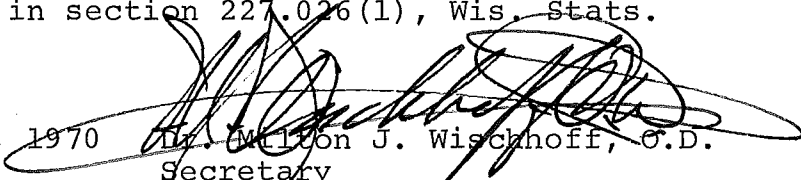


ORDER OF THE OPTOMETRY EXAMINING BOARD
REPEALING AND RECREATING RULES

Pursuant to authority vested in the Optometry Examining Board by sections 15.08(5)(6) and 227.014 Wis. Stats., the Optometry Examining Board hereby repeals and recreates Chapters Opt 1 through 9 attached hereto.

The rules and repeals contained herein shall take effect as provided in section 227.026(1), Wis. Stats.

Dated: December 1, 1970



Dr. Milton J. Wischhoff, O.D.
Secretary
Optometry Examining Board

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Chapter Opt 1

PRACTICE OF OPTOMETRY

Opt 1.01 Definitions and Interpretations

Opt 1.02 Change of Address

OPT 1.01 DEFINITIONS AND INTERPRETATIONS. (1) The operation of devices for remedial or corrective purposes shall be considered as included under "mechanical therapy" as that term is used in sec. 449.01(1), Wis. Stats.

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

OPT 1.02 CHANGE OF ADDRESS. It shall be the responsibility of each licensed optometrist to keep the Board informed of his current address and place of practice.

Chapter Opt 2

ORGANIZATION OF THE BOARD

Opt 2.01	Procedure	Opt 2.05	Membership in
Opt 2.02	Officers		International Association
Opt 2.03	Delegate	Opt 2.06	Vouchers
Opt 2.04	Vice-Chairman		

OPT 2.01 PROCEDURE. Unless otherwise specified, Roberts Rules of Order, of latest copyright, shall be the guide for conduct of business at all business meetings of the Board. The Board shall meet annually or more frequently at the call of the chairman or a majority of the members.

OPT 2.02 OFFICERS. The officers of the Board shall be a chairman, vice-chairman, and secretary who shall be elected annually at the first meeting of each calendar year.

OPT 2.03 DELEGATES. The Board may elect a delegate or delegates to the International Association of Boards and/or the National Board of Examiners in Optometry and may pay such fees and expenses as are ordinary and necessary in the performance of duties as a delegate.

OPT 2.04 VICE-CHAIRMAN. The vice-chairman shall exercise the powers of chairman in the event of the chairman's absence or incapacity with the approval of the other three Board members.

OPT 2.05 MEMBERSHIP IN INTERNATIONAL ASSOCIATION. The Board may maintain an active paid membership in the International Association of Boards and the secretary shall submit vouchers for the annual dues thereof.

OPT 2.06 VOUCHERS. All vouchers for expenses, salaries, and per diem shall be signed by the chairman and the secretary of the Board.

Chapter Opt 3

APPLICATIONS FOR EXAMINATIONS

Opt 3.01 Application requirements Opt 3.02 Applicant's fee

OPT 3.01 APPLICATION REQUIREMENTS. Applicants for standard examinations must present: (1) An application properly filled out on a form prescribed by the Board and provided by the Department of Regulation & Licensing. Failure of an applicant to give complete and correct answers to all questions on the application may be considered as constituting sufficient reason for rejection of the application or for revocation after the license is issued.

(2) A certified transcript of credits of an optometric college approved by this Board, except as follows:

(a) Because some optometric students are granted deferments from military service to enable them to finish college and, because some of these students will be called into military service immediately after graduation without an opportunity to write the state board examinations, and because military regulations require that an optometrist possess a license in some state if he is to be eligible to serve the armed forces as an optometrist, the Board may permit senior students to write the last examination preceding the date of graduation.

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

(c) Although this policy has been adopted primarily for those entering service, the Board may accept any student under this policy if he has the approval and consent of his college authorities and if, in the opinion of this Board, the circumstances warrant the action.

(d) The Board may establish limits as to time, eligibility, etc., if the privilege hereby granted is abused, or if such becomes necessary for any other reason.

(e) The Board may accept or reject any such application.

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

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

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

OPT 3.02 APPLICANT'S FEE. (1) The examination fee in the form of certified or cashier's check or money order shall accompany the application.

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

Chapter Opt 4

EXAMINATION OF APPLICANTS

Opt 4.01	Time and Place	Opt 4.06	Passing grades
Opt 4.02	Unauthorized Assistance	Opt 4.07	Instructions to be followed
Opt 4.03	Controls	Opt 4.08	Failure and Review
Opt 4.04	Clinical Examination	Opt 4.09	Announcement of Results
Opt 4.05	Grading Method	Opt 4.10	Added Training

OPT 4.01 TIME AND PLACE. The Optometry Examining Board shall fix a time and place for the examination.

OPT 4.02 UNAUTHORIZED ASSISTANCE. An applicant who gives or receives unauthorized assistance during the written, oral or clinical examination shall be dismissed from the examination. Future consideration of such dismissal shall be in the discretion of the Board.

OPT 4.03 CONTROLS. Time limits and other necessary controls may be announced by the chairman of the Board or examiner prior to the examinations.

OPT 4.04 CLINICAL EXAMINATION. The Board may conduct a practical clinical examination if deemed advisable. This examination may be conducted in conjunction with the regular and written examination or may be held later at a time and place announced by the chairman of the Board. The Board may admit all applicants to this practical examination or may limit it to only those who were successful in the written examination. The practical examination may consist of an actual demonstration of the applicant's ability to perform all or part of an optometric examination with the accompanying phases of optometric service and written and oral examination as the Board sees fit.

OPT 4.05 GRADING METHOD. Each subject shall be graded on the basis of 100 points for a perfect paper. (1) The same basis shall apply to clinical and oral examination.

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

OPT 4.06 PASSING GRADES. (1) To pass the written examination, each applicant must have an average grade of 80 and no grade lower than 75.

(2) To pass the clinical examination, each applicant must have an average grade of 80 with no grade lower than 75.

OPT 4.07 INSTRUCTIONS TO BE FOLLOWED. Credit shall be denied on any question if examination instructions are not followed, and applicants shall answer only the indicated number of questions.

OPT 4.08 FAILURE AND REVIEW. In case of failure of an applicant, all written papers graded below 75 and all clinical examinations graded below 80 shall be reviewed by the Board or by 2 members designated by the chairman.

OPT 4.09 ANNOUNCEMENT OF RESULTS. No examination results shall be announced except by the secretary and with the approval of the chairman and only after all papers are graded and the results have been made known to the Board members.

OPT 4.10 ADDED TRAINING. The Board may demand that applicants who fail the examinations twice, present proof of further training acceptable to the Board before appearing for any succeeding examinations.

Chapter Opt 5

APPLICATION FOR LICENSING BY RECIPROCITY

Opt 5.01 Application
Opt 5.02 Waiting Period

Opt 5.03 Reciprocity
Examinations

OPT 5.01 APPLICATION. An application on a form prescribed by the Board and provided by the Department of Regulation and Licensing must be submitted by the applicant.

OPT 5.02 WAITING PERIOD. Application for licensing by reciprocity shall be on file with the secretary of the Board 6 months before the examination. The Board shall accept or reject the application at the first regular meeting following this 6 month period.

OPT 5.03 RECIPROCITY EXAMINATIONS. All rules of the standard examination and grading procedures shall apply to reciprocity examinations.

Chapter Opt 6

ISSUANCE OF LICENSE

Opt 6.01 Begin Practice Opt 6.03 One Certificate
Opt 6.02 Certificate Charge Opt 6.04 Duplicate Certificates

OPT 6.01 BEGIN PRACTICE. Licensees shall be privileged to begin practice as soon as they are notified by the secretary that they passed the examinations and will be issued a license.

OPT 6.02 CERTIFICATE CHARGE. The certificate shall be issued to the licensee without charge.

OPT 6.03 ONE CERTIFICATE. Only one certificate shall be issued to each licensee.

OPT 6.04 DUPLICATE CERTIFICATES. Duplicates of original certificate or renewal certificates may be obtained from the secretary of the Board upon payment of \$15.00 and the return of the original certificate or submission of a sworn statement that the original was destroyed and is no longer in existence.

Chapter Opt 7

UNPROFESSIONAL CONDUCT

Opt 7.01	Inspection	Opt 7.04	Minimum Examination
Opt 7.02	Improper Use of Title	Opt 7.05	Unprofessional Practice
Opt 7.03	Adequate Equipment	Opt 7.06	Verification

OPT 7.01 INSPECTION. Information concerning place and mode of practice shall be furnished to the Board by any licensed optometrist when such is requested, and every optometrist shall permit the inspection of his office and equipment during office hours by any Board member or representative of the Board.

OPT 7.02 IMPROPER USE OF TITLE. It shall be unprofessional conduct for an optometrist to use the title "Doctor" in printed form unless he has actually been granted the title of doctor of optometry by an optometric college and unless he indicates that he is an optometrist.

OPT 7.03 ADEQUATE EQUIPMENT. It shall be unprofessional conduct for an optometrist to fail to have in good working order or be unable to operate adequate equipment and instruments of such a character as is necessary to perform the minimum examination as specified in Opt 7.04.

OPT 7.04 MINIMUM EXAMINATION. In the absence of compelling reasons to the contrary, it shall be considered unprofessional conduct for an optometrist to fail to make the following minimum examination in all cases and keep a permanent record thereof:

- (1) Complete case history.
- (2) Visual acuity at far and at near.
 - (a) Unaided.
 - (b) With last correction.
- (3) External examination.
- (4) Ophthalmoscopic examination.
- (5) Corneal curvatures.
- (6) Retinoscopy.
- (7) Amplitude of convergence and accommodation.
- (8) Phorias and ductions.
- (9) Subjective findings, far and near.
- (10) Fusion.
- (11) Stereopsis.
- (12) Color vision.
- (13) Visual fields.
- (14) Prescription and visual acuity obtained, far and near.

OPT 7.05 UNPROFESSIONAL PRACTICES. The following practices, among others, constitute unprofessional conduct:

(1) The use of bold face type or any other means of attempting to attract special attention to himself in any telephone or other public directory, newspaper, or any other communication media including newspapers, magazines, television, radio broadcasts, or any other advertising matter distributed to the public.

(2) The use of stationery and professional cards containing other than the names, titles, office hours, location and telephone number. This shall not prohibit identification of a service corporation or entity by such words as Limited, S.C., or Inc.

(3) The use by an optometrist, on his stationery, card or printed matter, of a multiple title. (e.g., jeweler-optometrist, optometrist-hearing aid salesman, etc.) The illustrations are not meant to be exclusive.

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

(5) The use of any advertising, by whatever media, containing other than the name of the duly licensed optometrist, his title, office hours, location or place of practice, telephone number and any one specialty. This shall not prohibit identification of a service corporation or entity by such words as Limited, S.C., or Inc.

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

OPT 7.06 VERIFICATION. (1) It shall be unprofessional conduct for an optometrist to fail to verify before delivery the accuracy with which the prescriptions prepared by him are compounded and to record the fact that such verification was made.

(2) It shall be unprofessional conduct for an optometrist to deliver glasses compounded on a prescription prepared by him containing striae, bubbles, or distortions beyond that which is normally acceptable.

Chapter Opt 8

Procedure

Opt 8.01	Petition for change in rules	Opt 8.03	Procedure governing pleadings
Opt 8.02	Petition for declaratory rulings	Opt 8.04	Service
		Opt 8.05	Prehearing conference
		Opt 8.06	Procedure and Practice

OPT 8.01 PETITIONS FOR CHANGE IN RULES. Any five optometrists or other interested persons may petition the Board for adoption, amendment, or repeal of any rules by following the procedures outlined in sec. 227.015, Wis. Stats.

OPT 8.02 PETITIONS FOR DECLARATORY RULINGS. (1) Any optometrist, or other interested person may, by following the procedures outlined in sec. 227.06, Wis. Stats., petition the Board for a declaratory ruling. Said petition should be addressed to the secretary of the Board.

(2) The Board will, within 60 days, grant or deny the petition. If the petition is granted, the Board will, within 30 days, set a date for hearing. The Board may require briefs on the issues raised.

(3) A declaratory ruling will be accompanied by a brief statement of the reasons therefore, and the person or persons petitioning will be served with copies.

OPT 8.03 PROCEDURE GOVERNING PLEADINGS. (1) FORM. Pleadings shall be in written form.

(2) CONTENT. (a) The complaint shall contain a plain statement of the cause of the complaint, naming the person or persons complained against, with a reference to the applicable rule of the Board or law governing the same and the demand for appropriate action by the Board.

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

(3) FILING. Three copies of all pleadings shall be filed with the secretary of the Board.

OPT 8.04 SERVICE. Notice and service shall conform to the requirements of sec. 449.01(1), Wis. Stats.

OPT 8.05 PREHEARING CONFERENCES. Prehearing conferences to determine the advisability or necessity of holding a formal hearing may be held at the convenience of the parties and shall be conducted by such member or members of the Board as may be designated by the Board for such purpose. A record shall be kept and preserved of any agreement as to the issues or stipulation or admission of fact which may be made at such conference. Such record shall be attached to the file and constitute a part of the official record of the case.

OPT 8.06 PROCEDURE AND PRACTICE. Procedure and practice shall be governed by sec. 449.09, Wis. Stats.

Chapter Opt 9

CONTINUOUS EDUCATION

Opt 9.01	Initiation of program	Opt 9.05	Excused attendance
Opt 9.02	Annual requirement	Opt 9.06	Unprofessional
Opt 9.03	Approved programs		conduct for failure
Opt 9.04	Proof of attendance		to comply

OPT 9.01 INITIATION OF PROGRAM. The program of continuous education outlined below will begin January 1, 1971 and the annual requirement outlined in Opt 9.02 must be completed in 1971 for license renewal in 1972.

OPT 9.02 ANNUAL REQUIREMENT. Each active Wisconsin practitioner shall attend in each calendar year a minimum of ten hours of post-graduate continuous educational courses or meetings. Satisfactory proof of compliance with this requirement is a pre-requisite for renewal in each successive calendar year.

OPT 9.03 APPROVED PROGRAMS. Only approved programs will receive credit toward compliance with the ten hour requirement.

(a) Any study at a board approved college, university, or institution of learning on subjects relative to Optometry.

(b) Any board approved optometric organized educational function.

NOTE: The board will make every effort to approve those and other programs well in advance of registration when requested.

OPT 9.04 PROOF OF ATTENDANCE. Satisfactory written proof of attendance at ten hours of approved courses or programs shall be submitted with the renewal application and fee each year prior to January 1.

OPT 9.05 EXCUSED ABSENCE. At the discretion of the board, illness, hardship, or incapacitation will be considered a valid excuse.

OPT 9.06 UNPROFESSIONAL CONDUCT FOR FAILURE TO COMPLY. It shall be considered unprofessional conduct to fail to comply with this chapter.