

ASSEMBLY, No. 385

STATE OF NEW JERSEY

INTRODUCED APRIL 5, 1954

By Mr. MARRYATT

Referred to Committee on Institutions, Public Health and Welfare

AN ACT concerning the practice of optometry, amending sections 45:12-9 and 45:12-10 of the Revised Statutes, and supplementing chapter 12 of Title 45 of the Revised Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Section 45:12-9 of the Revised Statutes is amended to read as follows:

2 45:12-9. Every registered optometrist shall, on such date as the board
3 may determine, annually pay to the secretary-treasurer of the board a regis-
4 tration renewal fee of **[\$5.00]** \$10.00 for which he shall receive a renewal of
5 his registration.

6 A nonactive registration renewal certificate shall be issued to those not
7 practicing within the State and should a nonactive registrant desire to prac-
8 tice during the registration year he **[may, upon payment of \$1.00 to the**
9 secretary-treasurer and the return of the nonactive registration renewal
9a certificate for cancellation, be issued an active registration renewal
10 certificate.] *shall notify the board in writing of his office location, shall pay*
11 *the required \$2.00 fee to the secretary-treasurer and shall return the nonactive*
12 *registration renewal certificate for cancellation. If, after proper investiga-*
13 *tion, the board shall find the office location appropriate for the practice of*
14 *optometry in accordance with the provisions of this chapter and the rules*
15 *and regulations of the board, then the board shall issue an active registra-*
16 *tion renewal certificate for the office location.*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

17 *Every person having an active or nonactive license to practice optometry*
18 *in New Jersey shall notify the board in writing of any change of address and*
19 *pay a fee of \$2.00 and return therewith his registration renewal certificate*
20 *and the board shall issue a new registration renewal certificate.*

21 *Every registered optometrist having a nonactive registration renewal*
22 *certificate for a period of 5 years or more who desires an active registration*
23 *certificate shall be required to submit to a practical examination, conducted*
24 *by the board, and if the results of the examination are satisfactory to the ma-*
25 *jority of the board, he shall then be issued an active certificate of registra-*
26 *tion authorizing him to practice in this State.*

27 The board shall have the power to issue, upon proper application and pay-
28 ment of the prescribed fees, branch office registration certificates to active li-
29 censees when, in its discretion, *and after a proper investigation that the new*
30 *branch office complies with the provisions of this chapter and the rules and*
31 *regulations of the board and that such action serves the public interest; pro-*
32 *vided, that nothing herein contained shall permit the board to deny branch*
33 *office registration certificates to active licensees who have conducted branch*
34 *offices prior to September 1, 1947; and provided, that the board shall not is-*
35 *sue more than 2 branch office registration certificates to any licensee after*
36 *January 1, 1948.*

37 Every licensee holding an active registration renewal certificate who may
38 practice at any place other than the address for which his active registration
39 renewal certificate is issued shall be required to obtain from the secretary-
40 treasurer for a fee of [~~\$10.00~~] \$15.00 a branch office registration certificate
41 for each and every location wherein he practices; provided, that nothing herein
42 contained shall be construed to require an active licensee to obtain a branch
43 office certificate for the purpose of serving on the staff of a hospital or in-
44 stitution which receives no fees (other than entrance registration fees) for
45 the services rendered by the optometrist and that the optometrist receives no
46 fees or compensation directly or indirectly for such services rendered; and
47 further provided, that nothing herein contained shall be construed to require

48 an active licensee to obtain a branch office certificate for the purpose of ren-
49 dering necessary optometric services for his patients confined to their homes,
50 hospitals or institutions.

51 Every licensee holding a branch office registration certificate or certifi-
52 cates shall, on such date as the board may determine, annually pay to the sec-
53 retary-treasurer a registration renewal fee of ~~[\$5.00]~~ \$10.00 for each branch
54 office registration certificate he holds, for which he shall receive a branch of-
55 fice registration renewal certificate or certificates.

56 In case of default in payment of registration renewal fees by any regis-
57 tered optometrist, his certificate or certificates to practice may be revoked
58 by the board upon 20 days' notice to said optometrist of the time and place of
59 considering such revocation; but the certificate or certificates shall not be re-
60 voked if the person so in default pays such fees before or at such time of
61 consideration named by the board.

62 Branch office registration certificates and branch office registration re-
63 newal certificates shall be displayed in the offices for which they are issued
64 as provided for in section 45:12-8 of this Title.

1 2. Section 45:12-10 of the Revised Statutes is amended to read as
2 follows:

3 45:12-10. The secretary of the board, upon request, shall certify over
4 the seal of the board whether the records kept by it show or fail to show
5 the issuance of a license to practice optometry or any branch thereof or
6 any other profession or business, the practice of which is licensed by the
7 board, or the issuance of any annual certificate of registration for such prac-
8 tice. The fee for such certificate shall be ~~[\$1.00]~~ \$3.00. Any such certifi-
9 cate, whether made on such request or made by said secretary for use in
10 proceedings in which the board may be a party, shall be prima facie evi-
11 dence of the facts therein stated.

1 3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to increase the charge for certain registration renewal certificates and for certain certifications by the board and for the taking of practical examinations by optometrists who have been nonactive in the practice of optometry for at least 5 years and for the notification to the board of new office locations.

ASSEMBLY COMMITTEE AMENDMENT TO

ASSEMBLY, No. 385

STATE OF NEW JERSEY

ADOPTED MAY 24, 1954

Amend page 2, section 1, line 29, after "investigation", insert ", it determines".

[OFFICIAL COPY REPRINT]

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 28 ment of the prescribed fees, branch office registration certificates to active li-
 29 censees when, in its discretion, and after a proper investigation, it de-
 30 termines that the new branch office complies with the provisions of this
 31 chapter and the rules and regulations of the board and that such action
 32 serves the public interest; provided, that nothing herein contained shall
 33 permit the board to deny branch office registration certificates to active
 34 licensees who have conducted branch offices prior to September 1, 1947; and
 35 provided, that the board shall not issue more than 2 branch office registra-
 36 tion certificates to any 1 licensee after January 1, 1948.

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 38 practice at any place other than the address for which his active registration
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[SECOND OFFICIAL COPY REPRINT]

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10 proceedings in which the board may be a party, shall be prima facie evi-
11 dence of the facts therein stated.

1 3. This act shall take effect immediately.

AMENDMENTS TO
ASSEMBLY, No. 385

STATE OF NEW JERSEY

ADOPTED AUGUST 2, 1954

Amend page 1, section 1, delete beginning with the word "If" on line 12 through the second word "the" on line 15.

Amend page 1, section 1, line 15, insert the word "The" immediately preceding the word "board" and insert the word "thereupon" after the word "shall".

On page 1, section 1, line 16, delete the words "for the office location" and substitute in lieu thereof the words "to said registrant".

STATE OF NEW JERSEY
Executive Department

August 2, 1954

ASSEMBLY BILL NO. 385

To the General Assembly:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I am returning herewith, for reconsideration with my objections, Assembly Bill No. 385.

This bill is primarily designed to amend provisions of the law governing the licensing and regulation of optometrists in respect to removal of offices and resumption of active practice after a period of discontinuance.

I object only to so much of the bill as restricts the right of an optometrist to an active registration renewal after a period of non-activity. The bill conditions the right upon a finding by the State Board of Optometrists that the office location of the applicant "is appropriate for the practice of optometry in accordance with the provisions of this chapter and the rules and regulations of the board." For the same reasons as expressed in reference to a similar provision in Assembly Bill No. 386 in my message of conditional veto of that bill, of even date herewith, I disapprove this provision.

Accordingly, I am returning herewith Assembly Bill No. 385 for reconsideration and with the recommendation that amendments be made to the bill (Official Copy Reprint) as follows:

STATE OF NEW JERSEY
Executive Department

Assembly Bill No. 385

- 2 -

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On page 1, Section 1, line 16, delete the words "for the office location" and substitute in lieu thereof the words "to said registrant".

Respectfully,

ROBERT B. MEYNER

GOVERNOR

(SEAL)

Attest:

ROBERT J. BURKHARDT

Secretary to the Governor