

45:12-9.2

LEGISLATIVE HISTORY CHECKLIST  
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NJSA: 45:12-9.2

(Optometrists--  
continuing  
education)

LAWS OF: 1991

CHAPTER: 171

Bill No: A2811

Sponsor(s): Doria

Date Introduced: Pre-filed

Committee: Assembly: Commerce

Senate: Labor

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: June 11, 1990

Senate: May 19, 1991

Date of Approval: June 19, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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LEGISLATIVE HISTORY

[FIRST REPRINT]  
ASSEMBLY, No. 2811

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblyman DORIA

1 AN ACT concerning the requirements for continuing education by  
2 registered optometrists, <sup>1</sup>and<sup>1</sup> amending <sup>1</sup>[section 2 and  
3 repealing section 7 of]<sup>1</sup> P.L.1975, c.24.

4  
5 BE IT ENACTED *by the Senate and General Assembly of the*  
6 *State of New Jersey:*

7 1. Section 2 of P.L.1975, c.24 (C.45:12-9.2) is amended to read  
8 as follows:

9 2. All registered active optometrists now or hereafter licensed  
10 in the State of New Jersey shall be required to take courses of  
11 study relating to the practice of the profession of optometry or  
12 to maintain proficiency in some other alternative manner to be  
13 prescribed and established by the New Jersey State Board of  
14 Optometrists; except that any practitioner who has been granted  
15 his license by examination during the preceding year shall be  
16 exempt from this requirement for the succeeding year. The  
17 board shall approve only such continuing educational programs as  
18 are available to all persons practicing optometry in the State on a  
19 reasonable nondiscriminatory basis. The board may approve  
20 programs to be held within or without the State of New Jersey.  
21 The board shall approve such programs that enable optometrists  
22 in all sections of the State to attend such programs. In no event  
23 shall the board approve a program offered by any professional  
24 association that discriminates against any licensed optometrists  
25 in the State, except that the board shall permit a professional  
26 association to impose a differential in registration fees <sup>1</sup>[upon  
27 optometrists who are not members of that professional  
28 association] not to exceed 130% of the fee charged to members  
29 of that professional association<sup>1</sup>.

30 (cf: P.L.1975, c.24, s.2)

31 <sup>1</sup>[2. Section 7 of P.L.1975, c.24 (C.45:12-9.7) is repealed.]<sup>1</sup>

32 <sup>1</sup>[3.] 2.<sup>1</sup> This act shall take effect immediately.

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35

REGULATED PROFESSIONS

36

37 Permits optometry associations offering continuing education  
38 courses to charge different fees to non-members.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:  
<sup>1</sup> Assembly floor amendments adopted June 7, 1990.

ASSEMBLY, No. 2811

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblyman DORIA

1 AN ACT concerning the requirements for continuing education by  
2 registered optometrists, amending section 2 and repealing  
3 section 7 of P.L. 1975, c. 24.

4

5 BE IT ENACTED *by the Senate and General Assembly of the*  
6 *State of New Jersey:*

7 1. Section 2 of P.L. 1975, c. 24 (C. 45:12-9.2) is amended to  
8 read as follows:

9 2. All registered active optometrists now or hereafter licensed  
10 in the State of New Jersey shall be required to take courses of  
11 study relating to the practice of the profession of optometry or  
12 to maintain proficiency in some other alternative manner to be  
13 prescribed and established by the New Jersey State Board of  
14 Optometrists; except that any practitioner who has been granted  
15 his license by examination during the preceding year shall be  
16 exempt from this requirement for the succeeding year. The  
17 board shall approve only such continuing educational programs as  
18 are available to all persons practicing optometry in the State on a  
19 reasonable nondiscriminatory basis. The board may approve  
20 programs to be held within or without the State of New Jersey.  
21 The board shall approve such programs that enable optometrists  
22 in all sections of the State to attend such programs. In no event  
23 shall the board approve a program offered by any professional  
24 association that discriminates against any licensed optometrists  
25 in the State, except that the board shall permit a professional  
26 association to impose a differential in registration fees upon  
27 optometrists who are not members of that professional  
28 association.

29 (cf: P.L. 1975, c. 24, s.2)

30 2. Section 7 of P.L. 1975, c. 24 (C. 45:12-9.7) is repealed.

31 3. This act shall take effect immediately.

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STATEMENT

35

36 The bill amends the continuing education statutes for  
37 optometrists to permit professional associations to charge  
38 different registration fees between members and non-members

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

Matter underlined thus is new matter.

1 of that professional association for attendance at continuing  
2 education programs approved for credit by the State Board of  
3 Optometrists.

4 The bill also repeals a section of law that references the  
5 practice of medicine and surgery. Section 7 of P.L. 1975 was  
6 inappropriately added into the statutes concerning optometric  
7 continuing education and the profession of optometry when the  
8 continuing education statutes were first enacted.

9 The New Jersey State Board of Optometrists has interpreted  
10 the current statutes to prohibit fee differentials. Inasmuch as  
11 the membership dues paid to professional associations subsidize  
12 continuing education programs by paying for staff support of such  
13 programs, the Board's interpretation forces members of  
14 professional associations to pay twice to attend continuing  
15 education seminars. This interpretation has therefore restricted  
16 the availability of continuing education courses both within and  
17 without the state.

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#### REGULATED PROFESSIONS

21

22 Permits optometry associations offering continuing education  
23 courses to charge different fees to non-members.

ASSEMBLY COMMERCE AND REGULATED PROFESSIONS  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2811

STATE OF NEW JERSEY

DATED: MARCH 1, 1990

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly Bill No. 2811.

This bill amends the continuing education statutes for optometrists to permit professional associations to charge different registration fees between members and non-members of that professional association for attendance at continuing education programs approved for credit by the State Board of Optometrists.

The bill also repeals section 7 of P.L.1975, c.24 (C.45:12-9.7), which refers to the practice of medicine and surgery. This section was inappropriately enacted as part of the statutes concerning optometric continuing education and the profession of optometry.

SENATE LABOR, INDUSTRY AND PROFESSIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 2811

STATE OF NEW JERSEY

DATED: JANUARY 17, 1991

The Senate Labor, Industry and Professions Committee reports favorably Assembly, No. 2811 (1R).

This bill amends the continuing education requirements for optometrists to permit professional optometry associations to charge different registration fees between members and non-members for association continuing education programs, except that the fee for a non-member may not exceed 130% of the fee charged to a member of that professional association.