

45:12-9

LEGISLATIVE HISTORY CHECKLIST
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(Optometrists--branch offices)

NJSA: 45:12-9

LAWS OF: 1995 CHAPTER: 315

BILL NO: S935

SPONSOR(S): Kyrillos and Cardinale

DATE INTRODUCED: May 5, 1994

COMMITTEE: ASSEMBLY Commerce
SENATE: Commerce

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: December 11, 1995
SENATE: May 11, 1995

DATE OF APPROVAL: January 5, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: ~~No~~ Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

1 AN ACT concerning the practice of optometry and amending
2 R.S.45:12-9.

3

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

6 1. R.S.45:12-9 is amended to read as follows:

7 45:12-9. Every registered optometrist who practices in the
8 State of New Jersey shall, on such [date] dates and times as the
9 board may determine, [annually] pay to the secretary-treasurer
10 of the board a registration renewal fee [of \$15.00] for which he
11 shall receive a renewal of his registration.

12 A nonactive registration renewal certificate shall be issued to
13 those not practicing within the State upon payment of a [\$10.00
14 annual] renewal fee, payable to the secretary-treasurer of the
15 board on such [date] dates and times as the board may
16 determine. Should a nonactive registrant desire to practice in
17 New Jersey during the registration year, he shall notify the board
18 in writing of his office location, shall pay the required [\$2.00] fee
19 for a change of address and an additional [\$5.00] fee to activate
20 his license. He must return his nonactive registration renewal
21 certificate for cancellation. The board shall thereupon issue an
22 active registration certificate to said registrant for his office
23 location.

24 Every person having an active or nonactive license to practice
25 optometry in New Jersey shall notify the board in writing of any
26 change of address and pay a fee [of \$2.00] and return therewith
27 his registration renewal certificate and the board shall issue a
28 new registration renewal certificate.

29 Every registered optometrist having a nonactive registration
30 renewal certificate for a period of 5 years or more who desires an
31 active registration certificate shall be required to submit to a
32 practical examination, conducted by the board, and if the results
33 of the examination are satisfactory to the majority of the board,
34 he shall then be issued an active certificate of registration
35 authorizing him to practice in this State.

36 The board shall have the power to issue, upon proper
37 application and payment of the prescribed fees, branch office
38 registration certificates to active licensees when, in its
39 discretion, and after a proper investigation, it determines that
40 the new branch office complies with the provisions of this
41 chapter and the rules and regulations of the board and that such
42 action serves the public interest [; provided, that nothing herein

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 contained shall permit the board to deny branch office
2 registration certificates to active licensees who have conducted
3 branch offices prior to September 1, 1947; and provided, that the
4 board shall not issue more than 2 branch office registration
5 certificates to any 1 licensee after January 1, 1948].

6 Every licensee holding an active registration renewal
7 certificate who [may] intends to practice at any place other than
8 the address for which his active registration renewal certificate
9 is issued shall be required to obtain from the secretary-treasurer
10 for a fee [of \$25.00] a branch office registration certificate for
11 each and every location wherein he practices; provided, that
12 nothing herein contained shall be construed to require an active
13 licensee to obtain a branch office certificate for the purpose of
14 serving on the staff of a hospital or other health care facility
15 licensed by the Department of Health or institution [which
16 receives no fees (other than entrance registration fees) for the
17 services rendered by the optometrist and that the optometrist
18 receives no fees or compensation directly or indirectly for such
19 services rendered] ; and further provided, that nothing herein
20 contained shall be construed to require an active licensee to
21 obtain a branch office certificate for the purpose of rendering
22 necessary optometric services [for his] to patients confined to
23 their homes, hospitals or other health care facilities licensed by
24 the Department of Health or institutions.

25 Every licensee holding a branch office registration certificate
26 or certificates shall, on such [date] dates and times as the board
27 may determine, [annually] pay to the secretary-treasurer a
28 registration renewal fee [of \$15.00] for each branch office
29 registration certificate he holds, for which he shall receive a
30 branch office registration renewal certificate or certificates.

31 In case of default in payment of registration renewal fees by
32 any registered optometrist, his certificate or certificates to
33 practice may be revoked by the board upon 20 days' notice to the
34 last registered address of said optometrist of the time and place
35 of considering such revocation; but the certificate or certificates
36 shall not be revoked if the person [so] in default pays such fees
37 before or at such time of consideration named by the board.

38 Branch office registration certificates and branch office
39 registration renewal certificates shall be displayed in the offices
40 for which they are issued as provided for in [section] R.S. 45:12-8
41 [of this Title].

42 (cf: P.L.1960, c.91, s.1)

43 2. This act shall take effect immediately.

46 STATEMENT

47
48 This bill updates the provisions of New Jersey's optometrist
49 licensing law regarding branch offices by removing certain
50 outdated provisions that restrict the number of branch office
51 registration certificates permitted for a New Jersey
52 optometrist. The bill removes the current statutory limit which
53 allows the granting to an optometrist of only two branch office
54 registration certificates in addition to a main office certificate.

1 The bill also states that optometrists are not required to obtain
2 a branch office certificate in order to serve on the staff of a
3 health care facility licensed by the Department of Health or to
4 render optometric services to patients confined in such facilities.

5 The bill also deletes references to specific amounts for fees
6 contained in R.S.45:12-9 to clarify that the New Jersey State
7 Board of Optometrists may determine the amount for registration
8 renewals, nonactive registration renewals and branch office
9 certificate registrations or renewal certificates pursuant to the
10 provisions of section 2 of P.L.1974, c.46 (C.45:1-3.2).

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15 Revises branch office certificate requirements for optometrists.

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14 serving on the staff of a hospital or other health care facility
15 licensed by the Department of Health or institution [which
16 receives no fees (other than entrance registration fees) for the
17 services rendered by the optometrist and that the optometrist
18 receives no fees or compensation directly or indirectly for such
19 services rendered] ; and further provided, that nothing herein
20 contained shall be construed to require an active licensee to
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15 Revises branch office certificate requirements for optometrists.

ASSEMBLY COMMERCE AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

SENATE, No. 935

STATE OF NEW JERSEY

DATED: DECEMBER 4, 1995

The Assembly Commerce and Regulated Professions Committee reports favorably Senate Bill No. 935.

This bill modifies the provisions of New Jersey's optometrist licensing law regarding branch offices by removing certain outdated provisions that restrict the number of branch office registration certificates permitted for a New Jersey optometrist. The bill removes the current statutory limit which allows the granting to an optometrist of only two branch office registration certificates in addition to a main office certificate.

The bill also states that optometrists are not required to obtain a branch office certificate in order to serve on the staff of a health care facility licensed by the Department of Health or to render optometric services to patients confined in such facilities.

The bill also deletes references to specific amounts for fees contained in R.S.45:12-9 to clarify that the New Jersey State Board of Optometrists may determine the amount for registration renewals, nonactive registration renewals and branch office certificate registrations or renewal certificates pursuant to the provisions of section 2 of P.L.1974, c.46 (C.45:1-3.2).

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 935

STATE OF NEW JERSEY

DATED: DECEMBER 8, 1994

The Senate Commerce Committee reports favorably Senate, No. 935.

This bill modifies the provisions of New Jersey's optometrist licensing law regarding branch offices by removing certain provisions that restrict the number of branch office registration certificates permitted for a New Jersey optometrist. The bill removes the current statutory limit on the number of branch offices of an optometrist. Current law allows an optometrist only two branch office registration certificates in addition to a main office certificate.

The bill also provides that an optometrist is not required to obtain a branch office certificate in order to serve on the staff of a health care facility licensed by the Department of Health or to render optometric services to patients confined in such facilities. Currently, an optometrist is not required to obtain a branch office certificate in order to serve on the staff of a hospital or institution or to render optometric services to patients confined to their homes, hospitals or institutions.

The bill also deletes references to specific amounts for fees contained in R.S.45:12-9 to clarify that the New Jersey State Board of Optometrists may determine the amount for registration renewals, nonactive registration renewals and branch office registration certificates or renewal certificates pursuant to the provisions of section 2 of P.L.1974, c.46 (C.45:1-3.2).

LEGISLATIVE FISCAL ESTIMATE TO
SENATE, No. 935

STATE OF NEW JERSEY

DATED: June 2, 1995

Senate Bill No. 935 of 1994 modifies the provisions of New Jersey's optometrist licensing law regarding branch offices by removing the current statutory limit on the number of branch offices of an optometrist. Current law allows an optometrist only two branch office registration certificates in addition to a main office certificate.

The bill also provides that an optometrist is not required to obtain a branch office certificate in order to serve on the staff of a health care facility licensed by the Department of Health or to render optometric services to patients confined in such facilities. Currently, an optometrist is not required to obtain a branch office certificate in order to serve on the staff of a hospital or institution or to render optometric services to patients confined to their homes, hospitals or institutions.

The bill also deletes references to specific optometric fees contained in statute to allow the New Jersey State Board of Optometrists to determine the amount for registration renewals, nonactive registration renewals and branch office registration certificates or renewal certificates pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2). This section permits any professional board to establish fees sufficient to cover operating costs.

Information provided informally by the Division of Consumer Affairs in the Department of Law and Public Safety indicates that enactment of this bill would have minimal fiscal impact. According to the division, there are currently 395 branch office registration certificates. Data are not readily available to estimate the number of additional branch offices that would be registered upon enactment of this bill. However, any additional administrative costs incurred as a result of the enactment of this legislation would be offset by the fees authorized by the bill.

The Office of Legislative Services concurs.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.