

ACT 123

H.B. NO. 3307

A Bill for an Act Relating to Requirements for Optometry License.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 459-7, Hawaii Revised Statutes, is amended by

amending subsections (a) and (b) to read as follows:

“(a) Except as otherwise provided in this chapter, every person desiring to begin or to continue the practice of optometry, before beginning or continuing practice, upon presentation of satisfactory evidence, verified by oath, that the applicant is a graduate of an optometric college, school, or university approved by the board of examiners in optometry and accredited by a regional or professional accreditation organization and recognized by the council on post-secondary accreditation or by the United States Department of Education, shall pass all examinations required by the board and comply with the following requirements:

- (1) [Complete an] Submit a completed application for licensure [and the Hawaii optometry laws and rules examination and submit the applications] to the department of commerce and consumer affairs;
- (2) Submit a nonrefundable application fee together with the application; and
- (3) Submit a copy of the applicant’s diploma or certificate of graduation from an optometric college, school, or university approved in accordance with this subsection[]; and
- (4) Submit an unretouched, unmounted, passport sized, recent photograph of the applicant].

(b) [Except for the Hawaii optometry laws and rules examination, the applicants] Applicants for examination shall be given due notice of the date and place of each examination by the NBEO. If an NBEO examination is no longer recognized by the board, applicants shall pass an examination designated by the board and shall be notified by the board or testing agency designated by the board of the date and place of examination.

Every candidate who passes all examinations required by the board and who has met all requirements for licensure shall receive from the board a license to practice optometry.”

SECTION 2. Section 459-8, Hawaii Revised Statutes, is amended to read as follows:

“**§459-8 Conduct of examinations.** [Each person whose application is received by the board before January 1, 1987, shall pass the written examination given by the NBEO.]

Each applicant whose application is received by the board [on or] after [January 1, 1987,] December 31, 1986, shall pass [the] all written [examination] examinations given by the NBEO. Beginning January 1, 1991, each applicant shall also pass [the clinical skills] a practical (Patient Care) examination administered by the NBEO. [If a written or practical examination is no longer given by the NBEO, the applicant shall pass either another national examination selected by the board, or if no other examination is selected by the board, a written examination prepared by the board or a testing agency recognized by the board.]

In addition to satisfying the applicable requirement above, the applicant shall also pass an examination given by the board.]

The board shall state in its rules the pass/fail cutoff scores for all required examinations. The board shall [not] accept the passing scores of [any] all NBEO written examinations if the [examination was] examinations were passed in [its] their entirety by the applicant [more than five years before the date the application is received by the board. If an NBEO examination is no longer recognized by the board, the board shall provide in its rules the pass/fail cutoff scores for the

examination given by the board or the testing agency designated by the board.] after December 31, 1986. The board shall accept the scores of the practical (Patient Care) examination only if the examination was passed by the applicant less than five years prior to the date the application was received by the board."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 8, 1994.)