

As Introduced

CORRECTED VERSION

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 36

Senators Cirino, Lang

A BILL

To amend sections 4725.01, 4725.011, 4725.02, 1
4725.09, 4725.11, 4725.12, 4725.121, 4725.13, 2
4725.15, 4725.16, 4725.18, 4725.19, 4725.20, 3
4725.21, 4725.23, 4725.231, 4725.24, 4725.25, 4
4725.26, 4725.27, 4725.31, 4725.34, 4725.35, 5
4725.501, 4725.531, and 4725.59, to enact 6
section 4725.012, and to repeal section 4725.131 7
of the Revised Code to revise the law governing 8
the practice of optometry. 9

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4725.01, 4725.011, 4725.02, 10
4725.09, 4725.11, 4725.12, 4725.121, 4725.13, 4725.15, 4725.16, 11
4725.18, 4725.19, 4725.20, 4725.21, 4725.23, 4725.231, 4725.24, 12
4725.25, 4725.26, 4725.27, 4725.31, 4725.34, 4725.35, 4725.501, 13
4725.531, and 4725.59 be amended and section 4725.012 of the 14
Revised Code be enacted to read as follows: 15

Sec. 4725.01. As used in ~~this chapter~~ sections 4725.01 to 16
4725.35 of the Revised Code: 17

(A) The "practice of optometry" means all of the 18

- following: 19
- (1) ~~The application of~~ Applying optical principles, 20
through technical methods and devices, in the examination of 21
human eyes for the purpose of ascertaining departures from the 22
normal, measuring their functional powers, adapting optical 23
accessories for the aid thereof, and detecting ocular 24
abnormalities that may be evidence of disease, pathology, or 25
injury; 26
- (2) Employing, applying, administering, and prescribing 27
instruments, devices, and procedures, ~~other than excluding~~ 28
invasive procedures except as provided in division (A) (4) of 29
this section or as provided in section 4725.012 of the Revised 30
Code, for ~~purpose~~ purposes of examination, investigation, 31
diagnosis, treatment, or prevention of any disease, injury, or 32
other ~~abnormal~~ condition of the visual system; 33
- (3) ~~Employing, applying, administering, and prescribing~~ 34
~~topical ocular pharmaceutical agents;~~ 35
- ~~(4)~~ Employing, applying, administering, and prescribing 36
therapeutic pharmaceutical agents or personally furnishing a 37
complete or partial supply of a therapeutic pharmaceutical 38
agent; 39
- ~~(5)~~ (4) Administering epinephrine by injection to 40
individuals in emergency situations to counteract anaphylaxis or 41
anaphylactic shock; 42
- (5) Engaging in activities authorized by sections 4725.011 43
and 4725.012 of the Revised Code; 44
- (6) Designing, fabricating, and fitting artificial eyes or 45
prostheses associated with the appearance or function of the 46
human eye; 47

(7) Assisting an individual in determining the 48
individual's blood glucose level by using a commercially 49
available glucose-monitoring device. Nothing in this section 50
precludes a licensed optometrist from using any particular type 51
of commercially available glucose-monitoring device; 52

~~(6) Designing, fabricating, and fitting artificial eyes or 53
prostheses associated with the appearance or function of the 54
human eye. 55~~

~~(B) "Topical ocular pharmaceutical agent" means a drug or 56
dangerous drug that is a topical drug and used for evaluative 57
purposes in the practice of optometry or for purposes of 58
examination, investigation, diagnosis, treatment, or prevention 59
of any disease, injury, or other abnormal condition of the 60
visual system. 61~~

~~(C) "Therapeutic pharmaceutical agent" means a drug or 62
dangerous drug that is used for evaluation, examination, 63
investigation, diagnosis, treatment, or prevention of any 64
disease, injury, or other abnormal condition of the visual 65
system in the practice of optometry by a licensed optometrist, 66
and is any of the following: 67~~

~~(1) An oral drug or dangerous drug in one of the following 68
classifications: 69~~

~~(a) Anti-infectives, including antibiotics, antivirals, 70
antimicrobials, and antifungals; 71~~

~~(b) Anti-allergy agents; 72~~

~~(c) Antiglaucoma agents; 73~~

~~(d) Analgesics, including only analgesic drugs that are 74
available without a prescription, analgesic drugs or dangerous 75~~

~~drugs that require a prescription but are not controlled substances, and, to the extent. "Therapeutic pharmaceutical agent" does not include a controlled substance, except in the case of an analgesic controlled substance authorized by the state vision professionals board in rules adopted under section 4725.091 of the Revised Code, analgesic controlled substances;~~ 76
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~~(e) Anti-inflammatories, excluding all drugs or dangerous drugs classified as oral steroids other than methylpredisolone, except that methylpredisolone may be used only if it is prescribed under all of the following conditions:~~ 82
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~~(i) For use in allergy cases;~~ 86

~~(ii) For use by an individual who is eighteen years of age or older;~~ 87
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~~(iii) On the basis of an individual's particular episode of illness;~~ 89
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~~(iv) In an amount that does not exceed the amount packaged for a single course of therapy.~~ 91
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~~(2) Epinephrine administered by injection to individuals in emergency situations to counteract anaphylaxis or anaphylactic shock. Notwithstanding any provision of this section to the contrary, administration of epinephrine in this manner does not constitute performance of an invasive procedure.~~ 93
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~~(3) An oral drug or dangerous drug that is not included under division (C)(1) of this section, if the drug or dangerous drug is approved, exempt from approval, certified, or exempt from certification by the federal food and drug administration for ophthalmic purposes and the drug or dangerous drug is specified in rules adopted by the board under section 4725.09 of the Revised Code.~~ 98
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~~(D)~~ (C) "Controlled substance" has the same meaning as in 105
section 3719.01 of the Revised Code. 106

~~(E)~~ (D) "Drug" and "dangerous drug" have the same meanings 107
as in section 4729.01 of the Revised Code. 108

~~(F)~~ (E) "Invasive procedure" means any procedure that 109
involves cutting or otherwise infiltrating human tissue by 110
mechanical means including surgery, laser surgery, ionizing 111
radiation, therapeutic ultrasound, administering medication by 112
injection, or the removal of intraocular foreign bodies. 113

~~(G)~~ (F) "Visual system" means the human eye, its 114
associated structures, and its accessory or subordinate 115
anatomical parts. 116

~~(H) "Certificate of licensure" means a certificate issued~~ 117
~~by the board under section 4725.13 of the Revised Code~~ 118
~~authorizing the holder to engage in the practice of optometry.~~ 119

Sec. 4725.011. ~~In prescribing and dispensing vision~~ 120
~~correction devices, a~~ A licensed optometrist may employ, apply, 121
administer, prescribe and, or dispense any device that has 122
~~vision correction as its primary purpose but also combines with~~ 123
~~that purpose the delivery of~~ may be used for the purpose of 124
delivering a drug or dangerous drug therapeutic pharmaceutical 125
agent through the device, ~~if the drug delivered by the device~~ 126
~~would otherwise be a topical ocular pharmaceutical agent or oral~~ 127
~~therapeutic pharmaceutical agent. Devices authorized by~~ to which 128
this section applies include, but are not limited to, vision- 129
correcting the following: contact lenses ~~that deliver such drugs~~ 130
~~or dangerous drugs;~~ punctal plugs; ocular inserts; and medical 131
devices that the state vision professionals board determines are 132
appropriate for use in the practice of optometry. 133

<u>Sec. 4725.012. (A) Subject to division (C) of this</u>	134
<u>section, a licensed optometrist may employ, apply, administer,</u>	135
<u>or prescribe any of the following procedures for purposes of</u>	136
<u>examination, investigation, diagnosis, treatment, or prevention</u>	137
<u>of any disease, injury, or other condition of the visual system:</u>	138
<u>(1) Any injection, other than an intravenous or</u>	139
<u>intraocular injection, of a drug or dangerous drug, except that</u>	140
<u>this section does not apply to epinephrine injections authorized</u>	141
<u>under division (A) (4) of section 4725.01 of the Revised Code;</u>	142
<u>(2) The incision and curettage of a chalazion;</u>	143
<u>(3) The removal and biopsy of a skin lesion if the lesion</u>	144
<u>has a low risk of malignancy and does not involve the eyelid</u>	145
<u>margin;</u>	146
<u>(4) The excision or drainage, or both, of a conjunctival</u>	147
<u>cyst or concretion;</u>	148
<u>(5) Any suturing other than corneal and scleral suturing;</u>	149
<u>(6) A laser surgery consisting of capsulotomy,</u>	150
<u>trabeculoplasty, or peripheral iridotomy.</u>	151
<u>(B) The state vision professionals board shall adopt as</u>	152
<u>necessary rules governing the performance of procedures</u>	153
<u>described in division (A) of this section. The rules shall be</u>	154
<u>adopted in accordance with Chapter 119. of the Revised Code and</u>	155
<u>shall specify both of the following:</u>	156
<u>(1) The infection control practices to be followed by a</u>	157
<u>licensed optometrist when performing each procedure described in</u>	158
<u>division (A) of this section;</u>	159
<u>(2) The training requirements that a licensed optometrist</u>	160
<u>must satisfy in order to be eligible to perform each procedure</u>	161

described in division (A) of this section. 162

For purposes of a procedure described in division (A) (6) 163
of this section, the training shall consist of at least thirty- 164
two hours of instruction. For all other procedures described in 165
division (A) of this section, the board shall determine the 166
minimum number of hours of instruction. 167

(C) To be eligible to employ, apply, administer, or 168
prescribe any of the procedures described in division (A) of 169
this section, a licensed optometrist shall demonstrate to the 170
state vision professionals board, in a manner prescribed by the 171
board, that the optometrist satisfies for that procedure the 172
training requirements established in rules adopted under 173
division (B) of this section. 174

For purposes of a procedure described in division (A) (6) 175
of this section, a licensed optometrist may demonstrate that the 176
optometrist satisfies the training requirements for the 177
procedure by providing to the board evidence of successfully 178
completing such training while enrolled in a school of optometry 179
approved by the board under section 4725.10 of the Revised Code. 180

Sec. 4725.02. ~~(A)~~—Except as provided in section 4725.26 of 181
the Revised Code, no person shall engage in the practice of 182
optometry, including the determination of the kind of procedure, 183
treatment, or optical accessories needed by a person or the 184
examination of the eyes of any person for the purpose of fitting 185
the same with optical accessories, unless the person holds a 186
current, valid certificate of licensure to practice optometry 187
from the state vision professionals board. No person shall claim 188
to be the lawful holder of a certificate of licensure to 189
practice optometry when in fact the person is not such lawful 190
holder, or impersonate any licensed optometrist. 191

~~(B) No optometrist shall personally furnish a therapeutic pharmaceutical agent to any person, except that a licensed optometrist may personally furnish a therapeutic pharmaceutical agent to a patient if no charge is imposed for the agent or for furnishing it and the amount furnished does not exceed a seventy-two hour supply, except that if the minimum available quantity of the agent is greater than a seventy-two hour supply, the optometrist may furnish the minimum available quantity.~~ 192
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Sec. 4725.09. (A) The state vision professionals board shall adopt rules as it considers necessary to govern the practice of optometry and to administer and enforce sections 4725.01 to ~~4725.34~~ 4725.35 of the Revised Code. All rules adopted under those sections shall be adopted in accordance with Chapter 119. of the Revised Code. 200
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~~(B) The board, in consultation with the state board of pharmacy, shall adopt rules specifying any oral drugs or dangerous drugs that are therapeutic pharmaceutical agents under division (C) (3) of section 4725.01 of the Revised Code.~~ 206
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~~(C)~~The board shall adopt rules that establish standards to be met and procedures to be followed with respect to the delegation by an optometrist of the performance of an optometric task to a person who is not licensed or otherwise specifically authorized by the Revised Code to perform the task. The rules shall permit an optometrist to delegate the administration of drugs included in the optometrist's scope of practice. 210
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The rules adopted under this division shall provide for all of the following: 217
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(1) On-site supervision when the delegation occurs in an institution or other facility that is used primarily for the 219
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purpose of providing health care, unless the board established a 221
specific exception to the on-site supervision requirement with 222
respect to routine administration of a topical drug; 223

(2) Evaluation of whether delegation is appropriate 224
according to the acuity of the patient involved; 225

(3) Training and competency requirements that must be met 226
by the person administering the drugs; 227

(4) Other standards and procedures the board considers 228
relevant. 229

~~(D)~~ (C) The board shall adopt rules establishing criminal 230
records checks requirements for applicants under section 4776.03 231
of the Revised Code. 232

Sec. 4725.11. (A) The state vision professionals board 233
shall accept as the examination that must be passed to receive a 234
~~license~~ certificate of licensure to practice optometry in this 235
state the examination prepared, administered, and graded by the 236
national board of examiners in optometry or an examination 237
prepared, administered, and graded by another professional 238
testing organization recognized by the board as being qualified 239
to examine applicants for ~~licenses~~ licensure to practice 240
optometry in this state. The board shall periodically review its 241
acceptance of a licensing examination under this section to 242
determine if the examination and the organization offering it 243
continue to meet standards the board considers appropriate. 244

(B) The licensing examination accepted by the board under 245
this section may be divided into parts and offered as follows: 246

(1) Part one: Tests in basic science, human biology, 247
ocular and visual biology, theoretical ophthalmic, physiological 248
optics, and physiological psychology; 249

(2) Part two: Tests in clinical science, systemic 250
conditions, the treatment and management of ocular disease, 251
refractive oculomotor, sensory integrative conditions, 252
perceptual conditions, public health, the legal issues regarding 253
the clinical practice of optometry, and pharmacology; 254

(3) Part three: Tests in patient care and management, 255
clinical skills, and the visual recognition and interpretation 256
of clinical signs. 257

(C) The licensing examination accepted by the board may be 258
offered in a manner other than the manner specified in division 259
(B) of this section, but if offered in another manner, the 260
examination must test the person sitting for the examination in 261
the areas specified in division (B) of this section and may test 262
the person in other areas. 263

The board may require as a condition of its acceptance of 264
an examination that the examination cover subject matters in 265
addition to those specified in division (B) of this section, if 266
the schools of optometry it approves under section 4725.10 of 267
the Revised Code include the additional subject matters in their 268
prescribed curriculum. 269

(D) The board shall accept direct delivery of the results 270
of the licensing examination from the testing organization 271
administering the examination. The results shall be kept as a 272
permanent part of the board's records maintained pursuant to 273
section 4725.07 of the Revised Code. 274

(E) On request of any person seeking to practice optometry 275
in this state, the board shall provide information on the 276
licensing examination accepted by the board, including 277
requirements that must be met to be eligible to sit for the 278

examination and the dates the examination is offered. 279

Sec. 4725.12. (A) Each person who desires to commence the 280
practice of optometry in the state shall file with the executive 281
director of the state vision professionals board an application 282
for a certificate of licensure to practice optometry. The 283
application shall be accompanied by the application fee 284
specified under section 4725.34 of the Revised Code and shall 285
contain all information the board considers necessary to 286
determine whether an applicant is qualified to receive the 287
certificate of licensure. The application shall be made upon the 288
form prescribed by the board and shall be verified by the oath 289
of the applicant. 290

(B) To receive a certificate of licensure to practice 291
optometry, an applicant must meet all of the following 292
conditions: 293

(1) Be at least eighteen years of age; 294

(2) Complete satisfactorily a course of study of at least 295
six college years; 296

(3) Graduate from a school of optometry approved by the 297
board under section 4725.10 of the Revised Code; 298

(4) Pass the licensing examination accepted by the board 299
under section 4725.11 of the Revised Code. 300

Sec. 4725.121. (A) As used in this section, "license" and 301
"applicant for an initial license" have the same meanings as in 302
section 4776.01 of the Revised Code, except that "license" as 303
used in both of those terms refers to the types of 304
authorizations otherwise issued or conferred under ~~this~~ 305
~~chapter~~ sections 4725.01 to 4725.35 of the Revised Code. 306

(B) In addition to any other eligibility requirement set 307
forth in ~~this chapter~~ sections 4725.01 to 4725.35 of the Revised 308
Code, each applicant for an initial license shall comply with 309
sections 4776.01 to 4776.04 of the Revised Code. The state 310
vision professionals board shall not grant a license to an 311
applicant for an initial license unless the applicant complies 312
with sections 4776.01 to 4776.04 of the Revised Code. 313

Sec. 4725.13. (A) The state vision professionals board, by 314
an affirmative vote of a majority of its members, shall issue 315
under its seal a certificate of licensure authorizing the holder 316
to engage in the practice of optometry ~~under its seal~~ to every 317
applicant who passes all parts of the licensing examination 318
accepted by the board under section 4725.11 of the Revised Code 319
and otherwise complies with the requirements of sections 4725.01 320
to ~~4725.34~~ 4725.35 of the Revised Code. 321

(B) Each person to whom a certificate of licensure is 322
issued pursuant to this section by the board shall keep the 323
certificate of licensure displayed in a conspicuous place in the 324
location at which that person practices optometry and shall 325
whenever required exhibit the certificate of licensure to any 326
member or agent of the board. If an optometrist practices 327
outside of or away from the location at which the optometrist's 328
certificate of licensure is displayed, the optometrist shall 329
deliver, to each person examined or fitted with optical 330
accessories by the optometrist, a receipt signed by the 331
optometrist in which the optometrist shall set forth the amounts 332
charged, the optometrist's post-office address, and the number 333
assigned to the optometrist's certificate of licensure. The 334
information may be provided as part of a prescription given to 335
the person. 336

~~(C) Chapter 4796. of the Revised Code does not apply to~~ 337
~~certificates issued under division (A) (2) or (3) of this~~ 338
~~section.~~ 339

Sec. 4725.15. If the state vision professionals board 340
receives notice under division (D) of section 4725.11 of the 341
Revised Code that an applicant has failed four times the 342
licensing examination ~~or part of the examination~~ that must be 343
passed pursuant to section 4725.12 of the Revised Code, the 344
board shall not give further consideration to the application 345
until the applicant completes thirty hours of remedial training 346
approved by the board in the specific subject area or areas 347
covered by the examination or part of the examination that was 348
failed. 349

Sec. 4725.16. (A) (1) Each certificate of licensure ~~for the~~ 350
to practice of optometry issued by the state vision 351
professionals board shall expire on the last day of December of 352
each even-numbered year, and may be renewed in accordance with 353
this section and the standard renewal procedure established 354
under Chapter 4745. of the Revised Code. 355

(2) An optometrist seeking to continue to practice 356
optometry shall file with the board an application for ~~license~~ 357
renewal of the optometrist's certificate of licensure. The 358
application shall be in such form and require such pertinent 359
professional biographical data as the board may require. 360

(3) (a) Except as provided in division (A) (3) (b) of this 361
section, in the case of an optometrist seeking renewal who 362
prescribes or personally furnishes analgesic controlled 363
substances authorized pursuant to section 4725.091 of the 364
Revised Code that are opioid analgesics, as defined in section 365
3719.01 of the Revised Code, the optometrist shall certify to 366

the board whether the optometrist has been granted access to the 367
drug database established and maintained by the state board of 368
pharmacy pursuant to section 4729.75 of the Revised Code. 369

(b) The requirement in division (A) (3) (a) of this section 370
does not apply if any of the following is the case: 371

(i) The state board of pharmacy notifies the state vision 372
professionals board pursuant to section 4729.861 of the Revised 373
Code that the license holder has been restricted from obtaining 374
further information from the drug database. 375

(ii) The state board of pharmacy no longer maintains the 376
drug database. 377

(iii) The license holder does not practice optometry in 378
this state. 379

(c) If an optometrist certifies to the state vision 380
professionals board that the optometrist has been granted access 381
to the drug database and the board finds through an audit or 382
other means that the optometrist has not been granted access, 383
the board may take action under section 4725.19 of the Revised 384
Code. 385

(B) All licensed optometrists shall complete continuing 386
education in subjects relating to the practice of optometry, to 387
the end that the utilization and application of new techniques, 388
scientific and clinical advances, and the achievements of 389
research will assure comprehensive care to the public. The board 390
shall prescribe by rule the continuing optometric education that 391
licensed optometrists must complete. The length of study shall 392
be fifty clock hours each biennial licensing period, including 393
twenty clock hours of instruction in pharmacology ~~to be~~ 394
~~completed by all licensed optometrists.~~ 395

Unless the continuing education required under this 396
division is waived or deferred under division (D) of this 397
section, the continuing education must be completed during the 398
biennial licensing period beginning on the first day of January 399
of each odd-numbered year and ending on the last day of December 400
of each even-numbered year. If the board receives notice from a 401
continuing education program indicating that an optometrist 402
completed the program after the last day of December of an even- 403
numbered year, and the optometrist wants to use the continuing 404
education completed after that day to renew the 405
~~license~~certificate of licensure, the optometrist shall pay the 406
penalty specified under section 4725.34 of the Revised Code for 407
late completion of continuing education. 408

At least once annually, the board shall post on its web 409
site and shall mail, or send by electronic mail, to each 410
licensed optometrist a list of courses approved in accordance 411
with standards prescribed by board rule. Upon the request of a 412
licensed optometrist, the executive director of the board shall 413
supply a list of additional courses that the board has approved 414
subsequent to the most recent web site posting, electronic mail 415
transmission, or mailing of the list of approved courses. 416

(C) (1) Not later than the first day of November of each 417
even-numbered year, the board shall mail or send by electronic 418
mail a notice regarding license renewal to each licensed 419
optometrist who may be eligible for renewal. The notice shall be 420
sent to the optometrist's most recent electronic mail or mailing 421
address shown in the board's records. If the board knows that 422
the optometrist has completed the required continuing optometric 423
education for the biennium, the board may include with the 424
notice an application for license renewal. 425

(2) Filing a license renewal application with the board 426
shall serve as notice by the optometrist that the continuing 427
optometric education requirement has been successfully 428
completed. If the board finds that an optometrist has not 429
completed the required continuing optometric education, the 430
board shall disapprove the optometrist's application. The 431
board's disapproval of renewal is effective without a hearing, 432
unless a hearing is requested pursuant to Chapter 119. of the 433
Revised Code. 434

(3) The board shall refuse to accept an application for 435
renewal from any applicant whose ~~license~~ certificate of 436
licensure is not in good standing or who is under disciplinary 437
review pursuant to section 4725.19 of the Revised Code. 438

(4) Notice of an applicant's failure to qualify for 439
renewal shall be served upon the applicant by mail to the 440
applicant's last address shown in the board's records. 441

(D) In cases of certified illness or undue hardship, the 442
board may waive or defer for up to twelve months the requirement 443
of continuing optometric education, except that in such cases 444
the board may not waive or defer the continuing education in 445
pharmacology ~~required to be completed by optometrists~~. The board 446
shall waive the requirement of continuing optometric education 447
for any optometrist who is serving on active duty in the armed 448
forces of the United States or a reserve component of the armed 449
forces of the United States, including the Ohio national guard 450
or the national guard of any other state or who has received an 451
initial certificate of licensure during the nine-month period 452
which ended on the last day of December of an even-numbered 453
year. 454

(E) An optometrist whose renewal application has been 455

approved may renew the ~~license certificate of licensure~~ held by 456
paying to the treasurer of state the ~~fee for renewal fee~~ 457
specified under section 4725.34 of the Revised Code. On payment 458
of ~~all applicable fees~~ the renewal fee, the board shall issue a 459
renewal of the optometrist's certificate of licensure. 460

(F) Not later than the fifteenth day of January of each 461
odd-numbered year, the board shall mail or send by electronic 462
mail a second notice regarding license renewal to each licensed 463
optometrist who may be eligible for renewal but did not respond 464
to the notice sent under division (C) (1) of this section. The 465
notice shall be sent to the optometrist's most recent electronic 466
mail or mailing address shown in the board's records. If an 467
optometrist fails to file a renewal application after the second 468
notice is sent, the board shall send a third notice regarding 469
license renewal prior to any action under division (I) of this 470
section to classify the optometrist's ~~license certificate of~~ 471
licensure as expired. 472

(G) The failure of an optometrist to apply for license 473
renewal or the failure to pay the ~~applicable~~ renewal fee on or 474
before the date of expiration, shall automatically work a 475
forfeiture of the optometrist's authority to practice optometry 476
in this state. 477

(H) The board shall accept renewal applications and 478
renewal fees that are submitted from the first day of January to 479
the last day of January of the odd-numbered year next succeeding 480
the date of expiration. An individual who submits such a late 481
renewal application or fee shall pay the late renewal fee 482
specified in section 4725.34 of the Revised Code. 483

(I) (1) If the ~~date of expiration~~ date of a ~~an individual's~~ 484
certificate of licensure ~~issued by the board to an individual~~ 485

has passed and the individual has not filed with the board a 486
complete application during the late renewal period, the 487
individual's certificate ~~of licensure~~ shall be classified in the 488
board's records as expired. 489

(2) Any optometrist whose certificate of licensure has 490
been classified as expired may submit an application to the 491
board for reinstatement. For reinstatement to occur, the 492
applicant must meet all of the following conditions: 493

(a) Submit to the board evidence of compliance with board 494
rules requiring continuing optometric education in a sufficient 495
number of hours to make up for any delinquent compliance; 496

(b) Pay the renewal ~~fees~~ fee for the biennium in which 497
application for reinstatement is made; 498

(c) Pass all or part of the licensing examination accepted 499
by the board under section 4725.11 of the Revised Code as the 500
board considers appropriate to determine whether the application 501
for reinstatement should be approved; 502

(d) If the applicant has been practicing optometry in 503
another state or country, submit evidence that the applicant's 504
license to practice optometry in the other state or country is 505
in good standing. 506

(3) The board shall approve an application for 507
reinstatement if the conditions specified in division (I) (2) of 508
this section are met. An optometrist who receives reinstatement 509
is subject to the continuing education requirements specified 510
under division (B) of this section for the ~~year~~ biennium in 511
which reinstatement occurs. 512

Sec. 4725.18. (A) The state vision professionals board may 513
issue, by endorsement, a certificate of licensure ~~by endorsement~~ 514

to practice optometry to an individual licensed as an 515
optometrist by a Canadian province if the board determines that 516
the province has standards for the practice of optometry that 517
are at least as stringent as the standards established under 518
sections 4725.01 to ~~4725.34~~4725.35 of the Revised Code and the 519
individual meets the conditions specified in division (B) of 520
this section. The certificate of licensure may be issued only by 521
an affirmative vote of a majority of the board's members. 522

(B) An individual seeking a certificate of licensure 523
pursuant to division (A) of this section shall submit an 524
application to the board. To receive the certificate of 525
licensure, an applicant must meet all of the following 526
conditions: 527

(1) Meet the same qualifications that an individual must 528
meet under divisions (B) (1) to (3) of section 4725.12 of the 529
Revised Code to receive a certificate of licensure under that 530
section; 531

(2) Be licensed to practice optometry by a Canadian 532
province that requires passage of a written, entry-level 533
examination at the time of initial licensure; 534

(3) Be licensed in good standing by the optometry 535
licensing agency of the province, evidenced by submission of a 536
letter from the licensing agency of the province attesting to 537
the applicant's good standing; 538

(4) Provide the board with certified reports from the 539
optometry licensing agencies of all provinces in which the 540
applicant is licensed or has been licensed to practice optometry 541
describing all past and pending actions taken by those agencies 542
with respect to the applicant's authority to practice optometry 543

in those jurisdictions, including such actions as 544
investigations, entering into consent agreements, suspensions, 545
revocations, and refusals to issue or renew a license; 546

(5) Have been actively engaged in the practice of 547
optometry, ~~including the use of therapeutic pharmaceutical-~~ 548
~~agents,~~ for at least three years immediately preceding making 549
application under this section; 550

(6) Pay the nonrefundable application fee established 551
under section 4725.34 of the Revised Code for a certificate of 552
licensure; 553

(7) Submit all transcripts, reports, or other information 554
the board requires; 555

(8) Participate in a two-hour instruction session provided 556
by the board on the optometry statutes and rules of this state 557
or pass an Ohio optometry jurisprudence test administered by the 558
board; 559

(9) Pass all or part of the licensing examination accepted 560
by the board under section 4725.11 of the Revised Code, if the 561
board determines that testing is necessary to determine whether 562
the applicant's qualifications are sufficient for issuance of a 563
certificate of licensure under this section; 564

(10) Not have been previously denied issuance of a 565
certificate of licensure by the board. 566

(C) The board shall issue a certificate of licensure in 567
accordance with Chapter 4796. of the Revised Code to an 568
applicant if either of the following applies: 569

(1) The applicant holds a certificate or license in 570
another state. 571

(2) The applicant has satisfactory work experience, a 572
government certification, or a private certification as 573
described in that chapter in the practice of optometry in a 574
state that does not issue that license or certificate. 575

Sec. 4725.19. (A) In accordance with Chapter 119. of the 576
Revised Code and by an affirmative vote of a majority of its 577
members, the state vision professionals board, for any of the 578
reasons specified in division (B) of this section, shall refuse 579
to grant a certificate of licensure to practice optometry to an 580
applicant and may, with respect to a licensed optometrist, do 581
one or more of the following: 582

(1) Suspend the operation of ~~any a~~ certificate of 583
licensure granted by it to the optometrist; 584

(2) Permanently revoke the certificate of licensure; 585

(3) Limit or otherwise place restrictions on the 586
certificate of licensure; 587

(4) Reprimand the optometrist; 588

(5) Impose a monetary penalty. If the reason for which the 589
board is imposing the penalty involves a criminal offense that 590
carries a fine under the Revised Code, the penalty shall not 591
exceed the maximum fine that may be imposed for the criminal 592
offense. In any other case, the penalty imposed by the board 593
shall not exceed five hundred dollars. 594

(6) Require the optometrist to take corrective action 595
courses- 596

~~The~~. The amount and content of corrective action courses 597
shall be established by the board in rules adopted under section 598
4725.09 of the Revised Code. 599

(B) Except as provided in division (E) of this section, 600
the sanctions specified in division (A) of this section may be 601
taken by the board for any of the following reasons: 602

(1) Committing fraud in passing the licensing examination 603
or making false or purposely misleading statements in an 604
application for a certificate of licensure; 605

(2) Being at any time guilty of immorality, regardless of 606
the jurisdiction in which the act was committed; 607

(3) Being guilty of dishonesty or unprofessional conduct 608
in the practice of optometry; 609

(4) Being at any time guilty of a felony, regardless of 610
the jurisdiction in which the act was committed; 611

(5) Being at any time guilty of a misdemeanor committed in 612
the course of practice, regardless of the jurisdiction in which 613
the act was committed; 614

(6) Violating the conditions of any limitation or other 615
restriction placed by the board on a-the optometrist's 616
certificate of licensure ~~issued by the board;~~ 617

(7) Engaging in the practice of optometry ~~as provided in-~~ 618
~~section 4725.01 of the Revised Code when the~~ optometrist's 619
certificate of licensure ~~authorizing that practice~~ is under 620
suspension, in which case the board shall permanently revoke the 621
certificate of licensure; 622

(8) Being denied a license to practice optometry in 623
another state or country or being subject to any other sanction 624
by the optometric licensing authority of another state or 625
country, other than sanctions imposed for the nonpayment of 626
fees; 627

- (9) Departing from or failing to conform to acceptable and prevailing standards of care in the practice of optometry as followed by similar practitioners under the same or similar circumstances, regardless of whether actual injury to a patient is established;
- (10) Failing to maintain comprehensive patient records;
- (11) Advertising a price of optical accessories, eye examinations, or other products or services by any means that would deceive or mislead the public;
- (12) Being addicted to the use of alcohol, stimulants, narcotics, or any other substance ~~which~~ that impairs the intellect and judgment to such an extent as to hinder or diminish the performance of the duties included in the person's practice of optometry;
- ~~(13) Engaging in the practice of optometry as provided in section 4725.01 of the Revised Code without authority to do so or, if authorized, in a manner inconsistent with the authority granted;~~
- ~~(14)~~ Failing to make a report to the board as required by division (A) of section 4725.21 or section 4725.31 of the Revised Code;
- ~~(15)~~ (14) Soliciting patients from door to door or establishing temporary offices, in which case the board shall suspend the optometrist's certificate of licensure ~~held by the optometrist~~;
- ~~(16)~~ (15) Except as provided in division (D) of this section:
- (a) Waiving the payment of all or any part of a deductible

or copayment that a patient, pursuant to a health insurance or 656
health care policy, contract, or plan that covers optometric 657
services, would otherwise be required to pay if the waiver is 658
used as an enticement to a patient or group of patients to 659
receive health care services from that optometrist. 660

(b) Advertising that the optometrist will waive the 661
payment of all or any part of a deductible or copayment that a 662
patient, pursuant to a health insurance or health care policy, 663
contract, or plan that covers optometric services, would 664
otherwise be required to pay. 665

~~(17)~~ (16) Failing to comply with the requirements ~~in of~~ 666
section 3719.061 of the Revised Code before issuing for a minor 667
a prescription for an analgesic controlled substance authorized 668
pursuant to section 4725.091 of the Revised Code that is an 669
opioid analgesic, as defined in section 3719.01 of the Revised 670
Code; 671

~~(18)~~ (17) Violating the rules adopted under section 672
4725.66 of the Revised Code; 673

~~(19)~~ (18) A pattern of continuous or repeated violations 674
of division (E) (2) or (3) of section 3963.02 of the Revised 675
Code. 676

(C) Any person who is the ~~holder of a certificate of~~ 677
~~licensure, or who is an applicant for a certificate of licensure~~ 678
~~against whom is preferred any charges,~~ subject of a proposed 679
action under division (A) of this section shall be furnished by 680
the board with a copy of the ~~complaint~~ board's order proposing 681
the action and shall have a hearing before the board in 682
accordance with Chapter 119. of the Revised Code. 683

(D) Sanctions shall not be imposed under division ~~(B) (16)~~ 684

(B) (15) of this section against any optometrist who waives 685
deductibles and copayments: 686

(1) In compliance with the health benefit plan that 687
expressly allows such a practice. Waiver of the deductibles or 688
copayments shall be made only with the full knowledge and 689
consent of the plan purchaser, payer, and third-party 690
administrator. Documentation of the consent shall be made 691
available to the board upon request. 692

(2) For professional services rendered to any other 693
optometrist licensed by the board, to the extent allowed by 694
sections 4725.01 to ~~4725.34~~4725.35 of the Revised Code and the 695
rules of the board. 696

(E) The board shall not refuse to grant a certificate of 697
licensure to practice optometry to an applicant because of a 698
conviction of or plea of guilty to an offense unless the refusal 699
is in accordance with section 9.79 of the Revised Code. 700

(F) If a violation described in this section has caused, 701
is causing, or is about to cause substantial and material harm, 702
the board may issue an order requiring that person to cease and 703
desist from engaging in the violation. Notice of the order shall 704
be mailed by certified mail, return receipt requested, 705
immediately after its issuance to the person subject to the 706
order and to all persons known to be involved in the violation. 707
The board may thereafter publicize or otherwise make known to 708
all interested parties that the order has been issued. 709

The notice shall specify the particular act, omission, 710
practice, or transaction that is subject to the cease-and-desist 711
order and shall set a date, not more than fifteen days after the 712
date of the order, for a hearing on the continuation or 713

revocation of the order. The person shall comply with the order 714
immediately upon receipt of notice of the order. 715

The board may, on the application of a party and for good 716
cause shown, continue the hearing. Chapter 119. of the Revised 717
Code applies to the hearing to the extent that that chapter does 718
not conflict with the procedures set forth in this section. The 719
board shall, within fifteen days after objections are submitted 720
to the hearing officer's report and recommendation, issue a 721
final order either confirming or revoking the cease-and-desist 722
order. The final order may be appealed as provided under section 723
119.12 of the Revised Code. 724

The remedy under this division is cumulative and 725
concurrent with the other remedies available under this section. 726

Sec. 4725.20. On receipt of a notice pursuant to section 727
3123.43 of the Revised Code, the state vision professionals 728
board shall comply with sections 3123.41 to 3123.50 of the 729
Revised Code and any applicable rules adopted under section 730
3123.63 of the Revised Code with respect to a certificate of 731
licensure to practice optometry issued by the board under this 732
chapter. 733

Sec. 4725.21. (A) If an optometrist licensed by the state 734
vision professionals board has reason to believe that another 735
optometrist licensed currently or previously by the board has 736
engaged in any course of treatment or other services to a 737
patient that constitutes unprofessional conduct under section 738
4725.19 of the Revised Code, or has an addiction subject to 739
board action under section 4725.19 of the Revised Code, the 740
optometrist shall make a report to the board. 741

(B) Any person may report to the board in a signed writing 742

any information that the person may have that appears to show a 743
violation of any provision of sections 4725.01 to ~~4725.34~~ 744
4725.35 of the Revised Code or the rules adopted under those 745
sections. 746

(C) Each complaint or allegation of a violation received 747
by the board shall be assigned a case number and shall be 748
recorded by the board. 749

(D) In the absence of fraud or bad faith, no person who 750
reports to the board under this section or testifies in any 751
adjudication conducted under Chapter 119. of the Revised Code 752
shall be liable to any person for damages in a civil action as a 753
result of the report or testimony. 754

Sec. 4725.23. (A) The state vision professionals board 755
shall investigate evidence that appears to show that a person 756
has violated any provision of sections 4725.01 to ~~4725.34~~ 757
4725.35 of the Revised Code or any rule adopted under those 758
sections. Investigations of alleged violations shall be 759
supervised by the member of the board appointed by the board to 760
act as the supervising member of investigations. The supervising 761
member shall not participate in the final vote that occurs in an 762
adjudication of the case. 763

(B) In investigating a possible violation, the board may 764
administer oaths, order the taking of depositions, issue 765
subpoenas, and compel the attendance of witnesses and production 766
of books, accounts, papers, records, documents, and testimony. A 767
subpoena for patient record information shall not be issued 768
without consultation with the attorney general's office and 769
approval of the secretary of the board and the board's 770
supervising member of investigations. Before issuance of a 771
subpoena for patient record information, the secretary and 772

supervising member shall determine whether there is probable 773
cause to believe that the complaint filed alleges a violation of 774
sections 4725.01 to ~~4725.34~~4725.35 of the Revised Code or any 775
rule adopted under those sections and that the records sought 776
are relevant to the alleged violation and material to the 777
investigation. The subpoena may apply only to records that cover 778
a reasonable period of time surrounding the alleged violation. 779

On failure to comply with any subpoena issued by the board 780
and after reasonable notice to the person being subpoenaed, the 781
board may move for an order compelling the production of persons 782
or records pursuant to the Rules of Civil Procedure. 783

A subpoena issued by the board may be served by a sheriff, 784
the sheriff's deputy, or a board employee designated by the 785
board. Service of a subpoena issued by the board may be made by 786
delivering a copy of the subpoena to the person named therein, 787
reading it to the person, or leaving it at the person's usual 788
place of residence. When the person being served is an 789
optometrist licensed under this chapter, service of the subpoena 790
may be made by certified mail, restricted delivery, return 791
receipt requested, and the subpoena shall be deemed served on 792
the date delivery is made or the date the optometrist refuses to 793
accept delivery. 794

Each witness who appears before the board in obedience to 795
a subpoena shall receive the fees and mileage provided for under 796
section 119.094 of the Revised Code. 797

(C) Information received by the board pursuant to an 798
investigation is confidential and not subject to discovery in 799
any civil action. 800

The board shall conduct all investigations and proceedings 801

in a manner that protects the confidentiality of patients and 802
persons who file complaints with the board. The board shall not 803
make public the names or any other identifying information about 804
patients or complainants unless proper consent is given. 805

The board may share any information it receives pursuant 806
to an investigation, including patient records and patient 807
record information, with other licensing boards and governmental 808
agencies that are investigating alleged professional misconduct 809
and with law enforcement agencies and other governmental 810
agencies that are investigating or prosecuting alleged criminal 811
offenses. A board or agency that receives the information shall 812
comply with the same requirements regarding confidentiality as 813
those with which the state vision professionals board must 814
comply, notwithstanding any conflicting provision of the Revised 815
Code or procedure of the board or agency that applies when the 816
board or agency is dealing with other information in its 817
possession. The information may be admitted into evidence in a 818
criminal trial in accordance with the Rules of Evidence, but the 819
court shall require that appropriate measures are taken to 820
ensure that confidentiality is maintained with respect to any 821
part of the information that contains names or other identifying 822
information about persons whose confidentiality was protected by 823
the state vision professionals board when the information was in 824
the board's possession. Measures to ensure confidentiality that 825
may be taken by the court include sealing its records or 826
deleting specific information from its records. 827

Sec. 4725.231. The state vision professionals board may 828
issue a cease-and-desist order against any person engaging in 829
the practice of optometry without having received a license 830
under sections 4725.01 to ~~4725.34~~4725.35 of the Revised Code 831
that the board reasonably suspects has violated, is currently 832

violating, or is about to violate this chapter. The board's 833
authority to issue a cease-and-desist order under this section 834
is in addition to any action the board may take under section 835
4725.23 of the Revised Code. 836

Sec. 4725.24. If the secretary of the state vision 837
professionals board and the board's supervising member of 838
investigations determine that there is clear and convincing 839
evidence that an optometrist has violated division (B) of 840
section 4725.19 of the Revised Code and that the optometrist's 841
continued practice presents a danger of immediate and serious 842
harm to the public, they may recommend that the board suspend 843
without a prior hearing the optometrist's certificate of 844
licensure. Written allegations shall be prepared for 845
consideration by the full board. 846

The board, upon review of those allegations and by an 847
affirmative vote of three members other than the secretary and 848
supervising member may order the suspension without a prior 849
hearing. A telephone conference call may be utilized for 850
reviewing the allegations and taking the vote on the summary 851
suspension. 852

The board shall serve a written order of suspension in 853
accordance with sections 119.05 and 119.07 of the Revised Code. 854
The order shall not be subject to suspension by the court during 855
pendency of any appeal filed under section 119.12 of the Revised 856
Code. If the individual subject to the summary suspension 857
requests an adjudicatory hearing by the board, the date set for 858
the hearing shall be within fifteen days, but not earlier than 859
seven days, after the individual requests the hearing, unless 860
otherwise agreed to by both the board and the individual. 861

Any summary suspension imposed under this ~~division~~section 862

shall remain in effect, unless reversed on appeal, until a final 863
adjudicative order issued by the board pursuant to section 864
4725.19 of the Revised Code and Chapter 119. of the Revised Code 865
becomes effective. The board shall issue its final adjudicative 866
order within sixty days after completion of its hearing. A 867
failure to issue the order within sixty days shall result in 868
dissolution of the summary suspension order but shall not 869
invalidate any subsequent, final adjudicative order. 870

Sec. 4725.25. Sections 4725.01 to ~~4725.34~~ 4725.35 of the 871
Revised Code do not confer on an optometrist the title of 872
medical doctor, physician, surgeon, oculist, ophthalmologist, or 873
any other word or abbreviation indicating that the optometrist 874
is engaged in the practice of medicine. 875

Sec. 4725.26. ~~Division (A) of section~~ Section 4725.02 of 876
the Revised Code does not apply to the following: 877

(A) Physicians authorized to practice medicine and surgery 878
or osteopathic medicine and surgery under Chapter 4731. of the 879
Revised Code; 880

(B) Persons who sell optical accessories but do not assume 881
to adapt them to the eye, and neither practice nor profess to 882
practice optometry; 883

(C) A nonresident instructor in a school of optometry that 884
is located in this state and approved by the state vision 885
professionals board under section 4725.10 of the Revised Code 886
who holds a valid current license to practice optometry from a 887
licensing body in another jurisdiction and limits the practice 888
of optometry to the instruction of students enrolled in the 889
school. The state vision professionals board shall not require a 890
nonresident instructor who holds a license in another state to 891

obtain a license in accordance with Chapter 4796. of the Revised 892
Code to practice optometry in the manner described under this 893
division. 894

(D) A student enrolled in a school of optometry, located 895
in this or another state and approved by the board under section 896
4725.10 of the Revised Code, while the student is participating 897
in this state in an optometry training program provided or 898
sponsored by the school, if the student acts under the direct, 899
personal supervision and control of an optometrist licensed by 900
the board or authorized to practice pursuant to division (C) of 901
this section. 902

(E) An individual who is licensed or otherwise 903
specifically authorized by the Revised Code to engage in an 904
activity that is included in the practice of optometry. 905

(F) An individual who is not licensed or otherwise 906
specifically authorized by the Revised Code to engage in an 907
activity that is included in the practice of optometry, but is 908
acting pursuant to the rules for delegation of optometric tasks 909
adopted under section 4725.09 of the Revised Code. 910

(G) A nonresident individual who holds in good standing a 911
valid license to practice optometry from a licensing body in 912
another jurisdiction and is practicing as a volunteer without 913
remuneration during a charitable event that lasts not more than 914
seven days. 915

When an individual meets the conditions of this division, 916
the individual shall be deemed to hold, during the course of the 917
charitable event, a license to practice optometry from the state 918
vision professionals board and shall be subject to the 919
provisions of this chapter authorizing the board to take 920

disciplinary action against a license holder. Not less than 921
seven calendar days before the first day of the charitable 922
event, the individual or the event's organizer shall notify the 923
board of the individual's intent to engage in the practice of 924
optometry at the event. During the course of the charitable 925
event, the individual's scope of practice is limited to the 926
procedures that an optometrist licensed under this chapter is 927
authorized to perform unless the individual's scope of practice 928
in the other jurisdiction is more restrictive than in this 929
state. If the latter is the case, the individual's scope of 930
practice is limited to the procedures that an optometrist in the 931
other jurisdiction may perform. 932

The board shall not require a nonresident individual who 933
holds a license in another state to obtain a license in 934
accordance with Chapter 4796. of the Revised Code to practice 935
optometry as a volunteer in the manner described under this 936
division. 937

~~Sec. 4725.27. The testimony and reports of an optometrist~~ 938
~~licensed by the state vision professionals board under this~~ 939
~~chapter shall be received by~~ All of the following apply to any 940
state, county, municipal, school district, or other public 941
board, body, agency, institution, or official and by any private 942
educational or other institution receiving public funds: 943

(A) The board, body, agency, official, or institution 944
shall receive the testimony and reports of an optometrist 945
licensed by the state vision professionals board as competent 946
evidence with respect to any matter within the scope of the 947
practice of optometry. ~~No such~~ 948

(B) The board, body, agency, official, or institution 949
shall not interfere with any individual's right to a free choice 950

of receiving services from either an optometrist or a physician. 951

~~No such~~ 952

(C) The board, body, agency, official, or institution 953

shall not discriminate against an optometrist performing 954

procedures that are included in the practice of optometry ~~as~~ 955

~~provided in section 4725.01 of the Revised Code if the~~ 956

~~optometrist is licensed under this chapter to perform those~~ 957

~~procedures.~~ 958

Sec. 4725.31. An optometrist licensed by the state vision 959

professionals board shall promptly report to the board any 960

instance of a clinically significant drug-induced side effect in 961

a patient due to the optometrist's administering, employing, 962

applying, or prescribing a ~~topical ocular or therapeutic~~ 963

pharmaceutical agent to or for the patient. The board, by rule 964

adopted in accordance with Chapter 119. of the Revised Code, 965

shall establish reporting procedures and specify the types of 966

side effects to be reported. The information provided to the 967

board shall not include the name of the patient or any other 968

identifying information about the patient. 969

Sec. 4725.34. (A) The state vision professionals board 970

shall charge the following nonrefundable fees: 971

(1) Three hundred fifty dollars for application for a 972

certificate of licensure to practice optometry; 973

(2) Three hundred fifty dollars for renewal of a 974

certificate of licensure to practice optometry; 975

(3) One hundred twenty-five dollars for late completion or 976

submission, or both, of continuing optometric education; 977

(4) One hundred twenty-five dollars for late renewal of a 978

certificate of licensure to practice optometry that has expired; 979

(5) Additional fees to cover administrative costs incurred 980
by the board, including ~~fees~~ a fee for replacing licenses issued 981
~~by the board~~ a certificate of licensure to practice optometry 982
and a fee for providing ~~rosters~~ a roster of currently licensed 983
optometrists. Such fees shall be established at a regular 984
meeting of the board and shall comply with any applicable 985
guidelines or policies set by the department of administrative 986
services or the office of budget and management. 987

(B) The board, subject to the approval of the controlling 988
board, may establish fees in excess of the amounts specified in 989
division (A) of this section if the fees do not exceed the 990
amounts specified by more than fifty per cent. 991

(C) All receipts of the board, from any source, shall be 992
deposited in the state treasury to the credit of the 993
occupational licensing and regulatory fund created in section 994
4743.05 of the Revised Code. 995

Sec. 4725.35. An optometrist ~~licensed~~ who holds a 996
certificate of licensure to practice optometry issued under this 997
chapter may provide telehealth services in accordance with 998
section 4743.09 of the Revised Code. 999

Sec. 4725.501. (A) As used in this section, "license" and 1000
"applicant for an initial license" have the same meanings as in 1001
section 4776.01 of the Revised Code, except that "license" as 1002
used in both of those terms refers to the types of 1003
authorizations otherwise issued or conferred under ~~this~~ 1004
~~chapter~~ sections 4725.40 to 4725.59 of the Revised Code. 1005

(B) In addition to any other eligibility requirement set 1006
forth in ~~this chapter~~ sections 4725.40 to 4725.59 of the Revised 1007
Code, each applicant for an initial license shall comply with 1008

sections 4776.01 to 4776.04 of the Revised Code. The state 1009
vision professionals board shall not grant a license to an 1010
applicant for an initial license unless the applicant complies 1011
with sections 4776.01 to 4776.04 of the Revised Code. 1012

Sec. 4725.531. On receipt of a notice pursuant to section 1013
3123.43 of the Revised Code, the state vision professionals 1014
board shall comply with sections 3123.41 to 3123.50 of the 1015
Revised Code and any applicable rules adopted under section 1016
3123.63 of the Revised Code with respect to a ~~license~~ 1017
certificate of licensure to practice as a dispensing optician 1018
issued by the board pursuant to this chapter. 1019

Sec. 4725.59. (A) Sections 4725.40 to 4725.59 of the 1020
Revised Code do not apply to: 1021

(1) A physician authorized under Chapter 4731. of the 1022
Revised Code to practice medicine and surgery or osteopathic 1023
medicine and surgery, or to persons while in the employment and 1024
under the supervision of a physician at the physician's office; 1025

(2) An optometrist licensed under sections 4725.01 to 1026
~~4725.34~~ 4725.35 of the Revised Code, or to persons while in the 1027
employment and under the supervision of an optometrist at the 1028
optometrist's office. 1029

(B) Nothing in sections 4725.40 to 4725.59 of the Revised 1030
Code shall prevent or restrict any individual, firm, or 1031
corporation from employing or from engaging in optical 1032
dispensing through persons licensed or registered under such 1033
sections. 1034

Section 2. That existing sections 4725.01, 4725.011, 1035
4725.02, 4725.09, 4725.11, 4725.12, 4725.121, 4725.13, 4725.15, 1036
4725.16, 4725.18, 4725.19, 4725.20, 4725.21, 4725.23, 4725.231, 1037

4725.24, 4725.25, 4725.26, 4725.27, 4725.31, 4725.34, 4725.35, 1038
4725.501, 4725.531, and 4725.59 of the Revised Code are hereby 1039
repealed. 1040

Section 3. That section 4725.131 of the Revised Code is 1041
hereby repealed. 1042

Section 4. The State Vision Professionals Board may take 1043
any action it considers appropriate to implement the repeal of 1044
section 4725.131 of the Revised Code by this act, but shall do 1045
so without limiting or expanding the authority granted under any 1046
certificates held by individuals who were authorized to engage 1047
in the practice of optometry only as described in division (A) 1048
(1) or (2) of section 4725.01 of the Revised Code, as that 1049
section existed immediately prior to the effective date of H.B. 1050
509 of the 134th General Assembly. 1051

Section 5. The General Assembly, applying the principle 1052
stated in division (B) of section 1.52 of the Revised Code that 1053
amendments are to be harmonized if reasonably capable of 1054
simultaneous operation, finds that the following sections, 1055
presented in this act as composites of the sections as amended 1056
by the acts indicated, are the resulting versions of the 1057
sections in effect prior to the effective date of the sections 1058
as presented in this act: 1059

Section 4725.13 of the Revised Code as amended by both 1060
H.B. 509 and S.B. 131 of the 134th General Assembly. 1061

Section 4725.18 of the Revised Code as amended by both 1062
H.B. 509 and S.B. 131 of the 134th General Assembly. 1063