The Mission of
ASA College is to educate a diverse and qualified student population to become responsible professionals committed to lifelong learning by equipping them with a firm academic foundation and career-specific competencies. ASA offers high-quality degree and certificate programs that respond to the needs of students and employers in a global economy. ASA faculty and staff are dedicated to maintaining professionalism and institutional integrity in a student-centered environment.
# Table of Contents

ASA COLLEGE MISSION STATEMENT  
cover

MESSAGE FROM THE CHAIRPERSON  
4

INTRODUCTION  
5

The Profession of Ophthalmic Dispensing (Opticianry)  
5
The Profession of Optometry  
5
The Profession of Ophthalmology  
5

ASA COLLEGE OPHTHALMIC DISPENSING PROGRAM (AOS)  
6
About the Program at ASA College  
6
History of the Program  
6
Accreditations  
7
Program Mission  
7
Program Goals  
7
Graduate Competencies  
7
Professional Ethics  
8

PROGRAM OF STUDY  
10

LABORATORIES AND CLINICS  
11
Laboratory Safety And Environmental Standards  
11
Infection Control Policy For Contact Lens Laboratory  
12
Clinical Education  
12

LICENSING AND EXAMINATIONS  
13
New York State Licensing Requirements  
13
Licensing and Examination Requirements by State  
(as Published by the Opticians Association of America)  
14

NEW YORK STATE EDUCATION DEPARTMENT,  
OFFICE OF THE PROFESSIONS  
21
Education Law  
21
Unprofessional Conduct  
26
Regulations of the Commissioner  
33

FACULTY  
45

ADVISORY COUNCIL  
45

ASA NY CAMPUS MAPS  
cover
Dear Ophthalmic Student,

Welcome to ASA College and our program in Ophthalmic Dispensing! As you know, ASA has been authorized by the New York State Education Department to conduct a “teach-out” of certain optical students whose studies were interrupted when TCI College of Technology closed last year. Ms. Lynch, Mr. Naymagon and I are so happy you’ve made a decision to join us here to finish your education, get certified and licensed, and launch your career. The profession needs competent and caring individuals to dispense eyeglasses and to fit contact lenses. This Handbook will provide you with valuable information you’ll need as you progress in your studies.

Whether you originally came to us because you have family and friends in the optical industry, an eye injury or refractive error drew you to the field, or if you simply discovered that Ophthalmic Dispensing offers the perfect blend of science, fashion, and business – you’ll find that our faculty, curriculum, laboratory, instruments, and materials will provide the support you need to see your way to licensure and beyond.

Time flies when you are on track for a new career, and given the unique situation that has presented itself by this teach-out, make your commitment to stay the course. Of course, we deeply regret the events we suffered at TCI, but now we are back! We promise to be there for you all the way as you become the professional person you dreamed you could be.

Yours in Opticianry,

Jayne H. Weinberger, EdD
Chairperson
THE PROFESSION OF OPHTHALMIC DISPENSING (OPTICIANRY)

The practice of Opticianry, or Ophthalmic Dispensing as it is formally known, dates back to the 16th century in the country. Opticians are licensed in New York State, and in many other states, to fill prescriptions for spectacles and other optical aids, which are prescribed by an optometrist or ophthalmologist.

Opticians should be fully versed in optics, anatomy and physiology, fabrication procedures, dispensing and fitting of eyewear, and the use and application of optical materials. Additionally, in New York State licensed opticians may obtain an additional certification allowing them to fit and dispense contact lenses. While the optician does not render a diagnosis or generate the prescription, he/she is specially trained and licensed to fill that prescription in accordance with state and national standards.

Licensing requirements for opticians vary from state to state, as does the scope of practice. In New York, opticians may practice independently after successful completion of the licensing examination. Contact lens practitioners may practice under the supervision of an optometrist or physician, as defined by the State Education Department. Opticians frequently use professional association designations after their name; ex: John Doe, FNAO, FCLSA.

THE PROFESSION OF OPTOMETRY

Optometry was recognized as a profession by the State Education Department early in the 20th century, and was a natural outgrowth of Opticianry. Optometrists usually complete a four-year professional degree which allows them to perform eye examinations and refractions, diagnose and prescribe spectacles, contact lenses, and other optical aids. Additionally, many optometrists have supplemental certification and training which allows them to use some diagnostic agents, prescribe ophthalmic medications, and provide certain care, including visual training and managing post-surgical patients. Many optometrists also fit and dispense eyewear and contact lenses. Optometrists use the professional degree designation after their name; ex: Mary Doe, O.D., and may also use professional association designations.

THE PROFESSION OF OPHTHALMOLOGY

The ophthalmologist is a medical doctor (physician) who has chosen to specialize in diseases and surgery of the eye. While the ophthalmologist may perform some of the duties of the optician and optometrist, he/she usually is more concerned with the diagnosis and treatment of ocular pathology, and surgical remedies for ocular problems. The ophthalmologist is licensed to prescribe all pharmaceuticals approved by the F.D.A. Ophthalmologists use their medical degree after their name; ex: Mary Doe, MD or Mary Doe, D.O., and may also use professional association designations.
ABOUT THE PROGRAM AT ASA COLLEGE

The Ophthalmic Dispenser (also known as the optician) is an eye care professional who fills prescriptions for corrective eyewear in accordance with an ophthalmologist’s or optometrist’s determination. The Ophthalmic Dispensing program combines an in-depth study of optics and anatomy with dispensing knowledge and finishing skills so that graduates have the ability to provide patients with suitable, well-fitted eyeglasses or contact lenses.

The program prepares the student for national certifying examinations given by the American Board of Opticianry and the National Contact Lens Examiners. Certification and graduation establish eligibility for entrance to New York State’s Ophthalmic Dispensing Basic Practical Examination for spectacle dispensing and the New York State Contact Lens Practical Certification Examination for contact lens fitting.

On-campus laboratories resemble those encountered in the optical industry. Students train on state of the art instrumentation and machinery, gaining competence in all aspects of Opticianry, from the finishing of eyeglasses to the dispensing of the finished product. The program emphasizes ethics and professionalism.

To graduate, the student must complete the required and elective courses for a total of 63 credits.

HISTORY OF THE PROGRAM

The Ophthalmic Dispensing program at ASA College was first registered with the New York State Education Department in 1975, sponsored at that time by Interboro Institute. The program graduated its first class in 1977, awarding an Associate in Occupational Science (AOS) degree. In the early 90’s, the program began the process to achieve national accreditation by the Commission on Opticianry Accreditation (COA), which it has maintained through the years. In 2007, Interboro Institute was closed, prompting the transfer of the program to Technical Career Institutes (TCI College of Technology). At TCI, the degree granted was upgraded to the Associate in Applied Science (AAS). The program operated at TCI from 2008 to 2017, when TCI College of Technology closed after 109 years in existence. Graciously, ASA College stepped up in Spring of 2018 to provide TCI optical students who were midway through their studies the chance to complete their program. Today, the program is housed on the Sixth Floor at ASA College’s Manhattan Campus, located at 1293 Broadway/One Herald Center, New York, NY.
ACCREDITATIONS

ASA College is accredited by the Middle States Commission on Higher Education. The Ophthalmic Dispensing program is accredited by the Commission on Opticianry Accreditation, Debra White, Director of Accreditation, P.O. Box 592, Canton, NY 13617, Director@coaccreditation.com, (703) 468-0566. The program is listed in the Inventory of Registered Programs by the New York State Education Department (nysed.gov).

PROGRAM MISSION

The program in Ophthalmic Dispensing is dedicated to providing quality foundational education for entry-level ophthalmic dispensers and contact lens practitioners.

PROGRAM GOALS

Graduates of the program will:
1. Demonstrate knowledge of current technology, procedures, and practices of Ophthalmic Dispensing;
2. Display knowledge and understanding of the professional ethics of the practice of Ophthalmic Dispensing;
3. Demonstrate knowledge and understanding of acceptable environmental health and safety procedures;
4. Exhibit understanding of the principles of refraction;
5. Participate in the elimination of hazardous waste and reduction of non-hazardous waste to optimal economic and technical levels and assure compliance with all environmental regulations;
6. Successfully complete national certifying examinations given by the American Board of Opticianry and the National Contact Lens Examiners;
7. Become licensed Ophthalmic Dispensers;
8. Secure professional employment;
9. Be encouraged to seek positions of leadership in management and ownership.

GRADUATE COMPETENCIES

Graduates of the program must demonstrate competencies including, but not limited to, those listed below. Graduates must be able to:

- Use effective oral and written communication
- Perform basic algebra, trigonometry, and geometry
• Identify the human eye structure, function, and pathology
• Determine physiognomic (facial and eye) measurements
• Neutralize eyewear/vision aids prescriptions
• Assess vocational and avocational needs of the patient/customer
• Assist the patient/customer in selection of proper frames and lenses
• Price and collect fees from patient/customer for vision aids and services
• Prepare ophthalmic laboratory job orders
• Deliver prescription eyewear/vision aids and instruct patient/customer in use and care
• Maintain patient/customer records
• Provide follow-up service to the patient/customer, including periodic eyewear/vision aids adjustment, repair, lens and frame replacement
• Respond to patient/customer complaints
• Apply rules and regulation for safe work practices
• Demonstrate proficiency in the operation and function of equipment

• Utilize and maintain equipment
• Demonstrate proficiency in finishing techniques
• Explain theory of refraction
• Assist in business related areas of Opticianry, including record maintenance, frame and lens inventory, supply and equipment maintenance, and third party forms
• Demonstrate principles of adaptation, dispensing, and fitting of contact lenses
• Identify procedures associated with low vision aids
• Discuss prescription eyewear/vision aids and other patient/customer related information (verbal and written) with the prescriber

Professional Ethics

Students in the Ophthalmic Dispensing program are expected to abide by the ethical standards set by professional organizations and regulatory agencies. As you are preparing to enter an allied health care profession, you must also develop a sense of professional conscience consistent with that of the medical community. Patient service and protection are our primary concerns. Much of
what we do is regulated by law, but some things are a matter of personal choice, and we hope to give you the decision-making tools that will enable you to practice ethically, as well as successfully.

**To this end, we offer the following:**

- Eyewear produced in the fabrication laboratory for clinic patients will conform to departmental and ANSI standards, and will be dispensed in a manner consistent with professional practice.

- Contact lenses will be handled carefully, and with hygiene a major concern, and will be dispensed in a manner consistent with professional practice.

- Patient confidentiality will be observed in all dispensing situations.

- Safety and environmental guidelines, and hygiene procedures will be followed.

ANSI standards for spectacles and contact lenses are provided to the student during the regular course of instruction. These are national quality standards by which finished eyewear and contact lenses are judged. You will be expected to be able to conform to these standards when producing a finished product before you complete the program of instruction.

Additionally, it is expected that the student will observe the property rights of others, and stealing, cheating on examinations, abusing school materials, or any other behavior that is generally recognized as unacceptable, will not be tolerated. We consider our faculty to be a role model for students. Difficult ethical situations that may be encountered in the workplace or here in college, can be discussed confidentially with faculty members. There are specially trained advisors available through Student Affairs for personal issues.
# Program of Study

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Credits</th>
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<tbody>
<tr>
<td>BIO120</td>
<td>Human Biology</td>
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<td>CIS100</td>
<td>Computer Concepts and Applications</td>
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<td>ENG105</td>
<td>English Composition I</td>
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<tr>
<td>ENG205</td>
<td>English Composition II</td>
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<td>Speech &amp; Communication</td>
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<td>Philosophy</td>
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<td>OPT100</td>
<td>Ophthalmic Dispensing I</td>
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<td>OPT110</td>
<td>Fabrication Laboratory I</td>
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<td>OPT155</td>
<td>Anatomy, Physiology, and Pathology of the Eye</td>
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<td>OPT160</td>
<td>Ophthalmic Dispensing II</td>
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<td>OPT170</td>
<td>Fabrication Laboratory II</td>
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<td>Geometric Optics</td>
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<td>OPT190</td>
<td>Contact Lenses I</td>
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<td>Ophthalmic Dispensing III with Laboratory</td>
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<td>OPT210</td>
<td>Fabrication Laboratory III</td>
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<td>OPT220</td>
<td>Ophthalmic Optics</td>
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<td>OPT230</td>
<td>Contact Lenses II</td>
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<td>OPT255</td>
<td>Principles of Refraction</td>
<td>3</td>
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<tr>
<td>OPT265</td>
<td>Contact Lenses III</td>
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<tr>
<td>OPT900</td>
<td>Ophthalmic Dispensing Internship/Externship (Capstone)</td>
<td>3</td>
</tr>
</tbody>
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LABORATORY SAFETY AND ENVIRONMENTAL STANDARDS

Laboratory safety and environmental standards and procedures are of primary importance at ASA. We are committed to maintaining an ecologically clean environment. To this end, waste products in the fabrication laboratory are handled in a safe and responsible manner. Your instructor will give you the appropriate training and information about the waste disposal and water filtration systems. Additionally, Material Data Safety Sheets (MSDS) are provided. These data sheets include information necessary to the safe use and disposal of chemicals commonly found in an optical laboratory.

The proper and safe use of electrical equipment, and the locations of electrical shut-offs, will be provided by your instructor. An emergency eyewash station and fire extinguishers are located in the laboratory (Room 608). First Aid kits are available for minor injuries, but all injuries must be reported to the instructor immediately.

LAB SAFETY GUIDELINES

- Safety glasses are required to be worn in the optical laboratory
- Jewelry, watches, rings, and other loose or dangling items must be removed
- Hairnets are provided for long hair
- Sandals are not allowed in the optical laboratory
- All accidents or injuries must be reported to the instructor immediately
- No machines are to be operated that have not been discussed in class
- Machines not operating properly should be reported to the instructor
- Clean up any spills on the floor immediately
- Put tools, supplies and materials back in their proper place
- Use all furniture properly
- Smoking is not allowed anywhere in the building
- Know where the First Aid kit, fire extinguisher, and safety exits are at all times

Students who fail to demonstrate proper and safe work habits will be removed from the laboratory.
LABORATORIES AND CLINICS

INFECTION CONTROL POLICY FOR CONTACT LENS LABORATORY

- Clean lab coats are to be worn in the contact lens laboratory
- All faculty and students are to wear latex gloves or finger cots during patient contact
- Surfaces are to be wiped down with an anti-viral solution. These include table tops, chin rests, brow bars, oculars, etc.
- Diagnostic contact lenses and reusable lenses are to be disinfected as per the instructor’s directions before return to inventory
- Masks are provided and should be used when appropriate
- Sink water is for hand washing only, not for drinking
- Proper hand-washing is required
- Report any contact lens loss or damage to the instructor

CLINICAL EDUCATION

Clinical Education is provided at ASA through our capstone course OPT900 -- Internship/Externship in Ophthalmic Dispensing. OPT900 is a graduation requirement and allows each student to gain “real world” experience building dispensing and fitting skills. Students complete 135 hours in an affiliate site, under the direct supervision of a licensed optician, optometrist, or ophthalmologist.
NEW YORK STATE LICENSING REQUIREMENTS

In order to be admitted to practice in New York State, candidates must have successfully completed an approved two-year professional education program, or the equivalent time in an approved training program. Candidates for admission to the licensure examinations must have satisfactorily completed a New York State registered high school program or its equivalent, and have completed the written examination requirement.

WRITTEN EXAMINATIONS

Candidates for licensure must successfully complete the NOCE exam given by the American Board of Opticianry. This examination is given at various sites quarterly. Additionally, candidates desiring the contact lens certificate must also complete the NCLE examination given by the National Contact Lens Examiners, administered quarterly. Applications for these examinations can be obtained through:

American Board of Opticianry
National Contact Lens Examiners
6506 Loisdale Road, Suite 209
Springfield, VA 22150

Phone: 800-296-1379 or 703-719-5800
Web: www.abo-ncle.org

PRACTICAL EXAMINATION

Upon completion of an approved two-year degree program or training program, and the successful completion of the written examination requirement, candidates for licensure will be admitted to the practical examination for Ophthalmic Dispensing. This examination is given separately for Contact Lens Practitioners and Ophthalmic Dispensers. The basic dispensing practical is given twice annually in the spring and fall. The contact lens examination is given once annually in the fall. Information for the licensing fee will be sent to you with your initial application. Applications for the examinations can be obtained at the following address:

New York State Education Department
Office of the Professions
Division of Professional Licensing Services
Ophthalmic Dispensing Unit
89 Washington Avenue
Albany, New York 12234-1000

Phone: 518-474-3817, ext. 250
Fax: 518-402-5354
E-mail: opunit1@mail.nysed.gov
The practical examinations are administered by a private corporation, and fees for the actual examination and additional application information forms can be obtained directly from this service:

Capitol Hill Testing Service
90 State Street, Suite 1009
Albany, NY, 12207

Phone: 800-724-8633 or 518-462-6805

LICENSING AND EXAMINATION REQUIREMENTS BY STATE (AS PUBLISHED BY THE OPTICIANS ASSOCIATION OF AMERICA)

**ALABAMA**
No state board or license requirements

**ALASKA**
Exam: ABO & NCLE
License Renewal Period: Biennial
Mandatory Continuing Education: 10 hours

State of Alaska Department of Commerce, Community, & Economic Development
Division of Occupational Licensing
PO Box 110806
Juneau, AK 99811

(907) 465-5470
http://www.dced.state.ak.us/occ/pdop.htm

**ARIZONA**
Exam: ABO & NCLE and state practical exam
License Renewal Period: Annual
Mandatory Continuing Education: 12 hours over 3 years; at least 4 hours in spectacles, 3 hours in CL, 1 hour in state or national Opticianry standards
LICENSING AND EXAMINATIONS

Arizona State Board of Dispensing Opticians
1400 W. Washington Ave, Room 230
Phoenix, AZ 85007
602-542-3095
http://www.do.az.gov

ARKANSAS
Exam:
License Renewal Period:
Mandatory Continuing Education:
Arkansas Board of Dispensing Opticians
PO Box 627
Helena, AR 72342
870-572-2847

CALIFORNIA
Exam: ABO & NCLE
License Renewal Period:
Mandatory Continuing Education:
Medical Board of California
1426 Howe Ave, Suite 54
Sacramento, CA 95825
916-263-2382
http://www.medbd.ca.gov/RDO_Program.htm

COLORADO
No state board or licensing requirements

CONNECTICUT
Exam: ABO & NCLE, and State Practical Exam
License Renewal Period: Annual
Mandatory Continuing Education: 7 hours

Connecticut Department of Health
Optician Licensure
410 Capital Ave, MS #12APP
PO Box 340308
Hartford, CT 06134
860-509-7603
http://www.dph.state.ct.us/

DELAWARE
No state board or licensing requirements

FLORIDA
Exam: ABO & NCLE and State Exam
License Renewal Period: Biennial
Continuing Education Requirements: 20 hours/2 years: 13 directly related to technical practice of which 1 must be CL, 2 hours in Laws & Rules, 1 HIV/AIDS education, 2 prevention of medical errors, 2 hours electives. Max 5 hours from courses without classroom instruction.
LICENSING AND EXAMINATIONS

Florida Department of Health
Board of Opticianry
4052 Bald Cypress Way Bin #C-08
Tallahassee, FL 32399-3258
850-245-4474
http://www.doh.state.fl.us/mqa/opticianry

GEORGIA
Exam: ABO, NCLE and State Practical Exam
License Renewal Period: Biennial
Continuing Education Requirements: 10 hours/2 years

Georgia State Board of Dispensing Opticians
237 Coliseum Drive
Macon, GA 31217
478-207-2440
http://www.sos.state.ga.us/plb/opticians/

HAWAI'I
Exam: ABO & NCLE
License Renewal Period: Biennial
Continuing Education Requirements: None

Department of Commerce & Consumer Affairs
Dispensing Optician Program
PO Box 3469
Honolulu, HI 96801
808-586-2704
http://www.hawaii.gov/dcca/areas/pvl/programs/dispensingoptician/

IDAHO
No state board or license requirements

ILLINOIS
No state board or license requirements

INDIANA
No state board or license requirements

IOWA
No state board or license requirements

KANSAS
No state board or license requirements

KENTUCKY
Exam: ABO & NCLE and State Practical Exam
License Renewal Period: Annual
Continuing Education Requirements: 6 hours/year

Kentucky Board of Ophthalmic Dispensers
PO Box 1360
Frankfort, KY 40602
502-564-3296

LOUISIANA
No state board or license requirements
LICENSING AND EXAMINATIONS

MAINE
No state board or license requirements

MARYLAND
No state board or license requirements

MASSACHUSETTS
Exam: ABO and state practical exam, effective 7/1/2007 NCLE
License Renewal Period: Biennial
Continuing Education Requirements: Total 12 every 2 years: 6 in
spectacles or 5 ABO coursework and 1 in state and federal laws
and regulations; 6 hours in contact lenses or 5 NCLE and 1 CPR

Massachusetts Board of Registration for Dispensing Opticians
239 Causeway St, Suite 500
Boston, MA 02114
617-627-5339
http://www.mass.gov/dpl/boards/do/index.htm

MICHIGAN
No state board or license requirements

MINNESOTA
No state board or license requirements

MISSISSIPPI
No state board or license requirements

MISSOURI
No state board or license requirements

MONTANA
No state board or license requirements

NEBRASKA
No state board or license requirements

NEVADA
Exam: ABO & NCLE, and State Exam
License Renewal Period: Annual
Continuing Education Requirements: 12 hours if limited license;
14 hours if dispensing license, 7 in contact lenses

State of Nevada Board of Dispensing Opticians
PO Box 19625
Reno, NV 89570
775-853-1421
http://nvbdo.state.nv.us/

NEW HAMPSHIRE
State Requirement: Registration
Registration Renewal Period: Biennial
Continuing Education Requirements: 8 hours/2 years

State of New Hampshire Dept of Health
129 Pleasant St
Concord, NH 0331
603-271-5127
http://www.state.nh.us/
LICENSING AND EXAMINATIONS

NEW JERSEY
Exam: State exam
License Renewal Period: Biennial
Continuing Education Requirements: 12 hours/2 years, 3 must be CL

New Jersey Board of Examiners of Ophthalmic Dispensers and Technicians
PO Box 45011
Newark, NJ 07101
973-504-6435
http://www.state.nj.us/lps/ca/medical/ophthalmic.htm

NEW MEXICO
No state board or license requirements

NEW YORK
Exam: ABO & NCLE and state practical exam
License Renewal Period: Triennial
Continuing Education Requirements: 18 hours/3 years with 3 hours in CL; if lic for CL 20 hours/3 years with 10 hours in CL.

NY State Education Department
Office of the Professions
Division of Professional Licensing Services
Ophthalamic Dispensing Unit
89 Washington Avenue
Albany, NY 12234-1000
Phone: 518-474-3817, ext 250
Fax: 518-402-5354
E-mail: opunit3@mail.nysed.gov

NORTH CAROLINA
Exam: State
License Renewal Period: Annually
Continuing Education Requirements: 8 hours per year; 4 spectacle and 4 contact lenses

North Carolina State Board of Opticians
PO Box 25336
Raleigh, NC 27611
919-733-9321

NORTH DAKOTA
No state board or license requirements

OHIO
Exam: Passing of NOCE and or NCLE
2 years of apprenticeship of minimum of 2000 hours, or,
2 years formal Opticianry program
18 years of age, high school graduate or equivalent
License Renewal Period:
Continuing Education Requirements: 4 hours/year spectacle w/spec license, 8 hours/year CL w/CL license

Ohio Optical Dispensers Board
77 S. High St 16th Floor
Columbus, OH 43215-6108
http://optical.ohio.gov/
LICENSING AND EXAMINATIONS

OKLAHOMA
No state board or license requirements

OREGON
No state board or license requirements

PENNSYLVANIA
No state board or license requirements

RHODE ISLAND
Exam: ABO and state practical exam
License Renewal Period: Biennial
Continuing Education Requirements: 12 hours/2 years

State Dept of Health, Office of Health Professionals Regulation Advisory Committee of Opticianry
3 Capitol Hill
Providence, RI 02908-5097
http://www.health.ri.gov/hsr/professions/optic.php

SOUTH CAROLINA
Exam: NCLE
License Renewal Period: Biennial
Continuing Education Requirements: 8 hours/2 years and 2 hours in CL if licensed for CL; 2 hours of the 8 may be in practice management

South Carolina Board of Examiners in Opticianry
PO Box 11329
Columbia, SC 29211-1329

(803) 896-4681
http://www.llr.state.sc.us/POL/Opticians/

TENNESSEE
Exam: ABO, NCLE, and State License Renewal Period: Biennial
Continuing Education Requirements: 8 hours/1 year: 4 hours in spectacles, 2 hours in CL, 2 hours optional

Tennessee Board of Dispensing Opticians
227 French Landing, Suite 300
Heritage Place Metro Center
Nashville, TN 37243
(888) 310-4650

TEXAS
Voluntary Registration Requirements:
1. Pass the ABO Examination to be a Registered Dispensing Optician or NCLE Examination to be a Registered Contact Lens Technician.
2. Show proof of having attended at least five hours of continuing education class room hours.
3. A person may qualify and be registered as a spectacle dispenser, contact lens dispenser, or both.
Optician’s Registry
Texas Department of State Health Services MC-1982
1100 West 49th Street
Austin, TX 78756-3183
(512) 834-6661
http://www.dshs.state.tx.us/optician/default.shtm

**UTAH**
No state board or licensing requirements

**VERMONT**
Exam: ABO
License Renewal Period: Biennial
Continuing Education Requirements: 10 hours/2 years; no more than 3 hours in CL, no more than 2 hours home study

Secretary of State, Office of Professional Regulations
Board of Opticians
26 Terrace St
Montpelier, VT 05609-1106
(802) 828-2191
http://vtprofessionals.org/opr1/opticians/

**VIRGINIA**
Exam: ABO, NCLE and state practical exam
License Renewal Period: Biennial
Continuing Education Requirements: None

Virginia State Board for Opticians
3600 West Broad Street
Richmond, VA 23230-4917
(804) 367-8500
http://www.state.va.us/dpor/opt_main.htm

**WASHINGTON**
Exam: State written and practical exams
License Renewal Period: Annual
Continuing Education Requirements: 30 Hours/3 years; 15 of those hours in CL

Washington Dispensing Opticians Exam Committee
PO Box 47870
Olympia, WA 98504-7870
(360) 236-4947

**WEST VIRGINIA**
No state board or license requirements
§7120. Introduction.
This article applies to the profession of ophthalmic dispensing. The general provisions for all professions contained in article one hundred thirty of this title apply to this article.

§7121. Definition of practice of ophthalmic dispensing.
The practice of the profession of ophthalmic dispensing is defined as adapting and fitting lenses, for the correction of deficiencies, deformities or anomalies of the human eyes, or adapting and fitting non-corrective contact lenses, on written prescriptions from a licensed physician or optometrist. Replacements or duplicates of such lenses may be adapted and dispensed without prescription. Contact lenses may be fitted by an ophthalmic dispenser only under the personal supervision of a licensed physician or optometrist.

§7122. Practice of ophthalmic dispensing and use of title “ophthalmic dispenser” or “optician”.
Only a person licensed or exempt under this article or a corporation, partnership or persons doing business under an assumed name and either composed of licensed ophthalmic dispensers or employing licensed ophthalmic dispensers shall practice ophthalmic dispensing or use the title “ophthalmic dispenser”, “optician”, “optical technician”, “dispensing optician”, or “optical dispenser”.

§7123. State board for ophthalmic dispensing.
A state board for ophthalmic dispensing shall be appointed by the board of regents on recommendation of the commissioner for the purpose of assisting the board of regents and the department on matters of professional licensing and professional conduct in accordance with section sixty-five hundred eight of this title. The board shall be composed of not less than seven licensed ophthalmic dispensers who shall have been residents of this state engaged in the practice of ophthalmic dispensing for at least five years in this state. An executive secretary to the board shall be appointed by the board of regents on recommendation of the commissioner.

§7124. Requirements for a professional license.
1. To qualify for a license as an ophthalmic dispenser, an applicant shall fulfill the following requirements:
   a. Application: file an application with the department;
   b. Education: have received an education, including high school graduation and completion, in accordance with the commissioner’s regulations, of either (i) a two-year program in ophthalmic dispensing, or, (ii) two years of training and experience in ophthalmic dis-
pensing under the supervision of a licensed ophthalmic dispenser, optometrist or physician;

c. Experience: have experience satisfactory to the board and in accordance with the commissioner’s regulations;

d. Examination: pass an examination satisfactory to the board and in accordance with the commissioner’s regulations;

e. Age: be at least eighteen years of age;

f. Citizenship: meet no requirement as to United States citizenship;

g. Character: be of good moral character as determined by the department; and

h. Fees: pay a fee of one hundred fifteen dollars to the department for admission to a department conducted examination and for an initial license, a fee of forty-five dollars for each reexamination, a fee of fifty dollars for an initial license for persons not requiring admission to a department conducted examination, and a fee of fifty dollars for each triennial registration period.

2. A person licensed after July first, nineteen hundred seventy-three shall be permitted to fit contact lenses only if the licensee, in addition to the requirements of subdivision a of this section, shall (1) pass a separate examination satisfactory to the board and in accordance with the commissioner’s regulations; and (2) have the requisite experience in the fitting of contact lenses satisfactory to the board and in accordance with the commissioner’s regulations.

§7125. Exemptions.

Nothing in this article shall be construed to affect or prevent:

1. An unlicensed person from performing merely mechanical work upon inert matter in an optical office, laboratory or shop; or

2. A student from engaging in clinical practice, under the supervision of a licensed ophthalmic dispenser or licensed optometrist or licensed physician, in an ophthalmic dispensing school or college registered by the department; or

3. The department from issuing a limited permit to an applicant who meets all requirements for admission to the licensing examination; provided, however, that:

a. Practice under a limited permit shall be under the supervision of a licensed physician, optometrist or ophthalmic dispenser.

b. A limited permit shall expire after two years, or upon notice to the applicant that the application for licensure has been denied, or ten days after notification to the applicant of failure on the professional licensing examination, whichever shall first occur. Notwithstanding the foregoing provisions of this subdivision, if the applicant is waiting the result of a licensing examination at the time such limited
permit expires, such permit shall continue to be valid until ten days after notification to the applicant of the results of such examination. A limited permit which has not expired as a result of notice of denial of licensure or of failure on the licensing examination may be renewed for a period of not more than one additional year, upon a showing satisfactory to the department that the applicant could not obtain a license within two years.

c. Supervision of a permittee by a licensed physician, optometrist or ophthalmic dispenser shall be on-site supervision but not necessarily direct personal supervision.

d. The fee for each limited permit and for each renewal shall be thirty-five dollars. The fee for issuance of a training permit shall be thirty dollars.

§7126. Special provisions.

1. Eyeglasses or lenses for the correction of vision or non-corrective contact lenses may be sold by any person, firm or corporation at retail, only on prescription of a licensed physician or licensed optometrist and only if a licensed physician, optometrist or ophthalmic dispenser is in charge of and in personal attendance at the place of sale. This article shall not apply to binoculars, telescopes, or other lenses used for simple magnification; except, that a seller of non-prescription ready-to-wear magnifying spectacles or glasses shall have the following language attached to each pair of glasses or spectacles displayed or offered for sale and in at least ten point bold type permanently affixed in plain view to the top of any point of sale display or, if there is no display, in the area of sale: “ATTENTION; READY-TO-WEAR NON-PRESCRIPTION GLASSES ARE NOT INTENDED TO REPLACE PRESCRIBED CORRECTIVE LENSES OR EXAMINATIONS BY AN EYE CARE PROFESSIONAL. CONTINUOUS EYE CHECK-UPS ARE NECESSARY TO DETERMINE YOUR EYE HEALTH STATUS AND VISION NEEDS.” As used in this subdivision, “non-prescription, ready to wear magnifying spectacles or glasses” means spherical convex lenses, uniform in each meridian, which are encased in eyeglass frames and intended to ameliorate the symptoms of presbyopia. The lenses in such glasses shall be of uniform focus power in each eye and shall not exceed 2.75 diopters.

2. It shall be a class A misdemeanor to practice any fraud, deceit or misrepresentation in any advertising related to ophthalmic dispensing.

§7127. Advertising of non-prescription ready-to-wear magnifying spectacles or glasses.

1. Any printed advertising for non-prescription ready-to-wear magnifying spectacles or glasses to be sold through the mail also
shall include the statement, “ATTENTION; READY-TO-WEAR NON-PRESCRIPTION GLASSES ARE NOT INTENDED TO REPLACE PRESCRIBED CORRECTIVE LENSES OR EXAMINATIONS BY AN EYE CARE PROFESSIONAL. CONTINUOUS EYE CHECK-UPS ARE NECESSARY TO DETERMINE YOUR EYE HEALTH STATUS AND VISION NEEDS.” As used in this section, “non-prescription, ready to wear magnifying spectacles or glasses” means spherical convex lenses, uniform in each meridian, which are encased in eyeglass frames and intended to ameliorate the symptoms of presbyopia. The lenses in such glasses shall be of uniform focus power in each eye and shall not exceed 2.75 diopters.

2. Any person, his or her agent or employee who shall violate any provision of this section shall be subject to a civil penalty of not less than twenty-five dollars nor more than two hundred fifty dollars for each violation. For purposes of this section, the sale or offer for sale of each pair of non-prescription ready-to-wear magnifying spectacles or glasses which fail to meet the standards of this section shall constitute a violation.

§7128. Mandatory continuing education.

1. a. Each licensed ophthalmic dispenser required under this article to register triennially with the department to practice in the state shall comply with the provisions of the mandatory continuing education requirements prescribed in subdivision two of this section except as set forth in paragraphs (b) and (c) of this subdivision. Ophthalmic dispensers who do not satisfy the mandatory continuing education requirements shall not practice until they have met such requirements, and they have been issued a registration certificate, except that an ophthalmic dispenser may practice without having met such requirements if he or she is issued a conditional registration certificate pursuant to subdivision three of this section.

b. Ophthalmic dispensers shall be exempt from the mandatory continuing education requirement for the triennial registration period during which they are first licensed. In accord with the intent of this section, adjustment to the mandatory continuing education requirement may be granted by the department for reasons of health certified by an appropriate health care professional, for extended active duty with the armed forces of the United States, or for other good cause acceptable to the department which may prevent compliance.

c. A licensed ophthalmic dispenser not engaged in practice, as determined by the department, shall be exempt from the mandatory continuing education requirement upon the filing of a statement with the department declaring such status. Any licensee who returns to the practice of ophthalmic dispensing during the triennial registration period shall notify the department prior to reentering the
2. During each triennial registration period an applicant for registration as an ophthalmic dispenser shall complete a minimum of eighteen hours of acceptable formal continuing education, as specified in subdivision four of this section; provided that three hours may be in recognized areas of study pertinent to the dispensing and fitting of contact lenses. During each triennial registration period an applicant for registration as an ophthalmic dispenser and certified to fit contact lenses shall complete twenty hours of acceptable formal continuing education, as specified in subdivision four of this section; provided that ten hours shall be in recognized areas of study pertinent to the dispensing and fitting of contact lenses. Any ophthalmic dispenser whose first registration date following the effective date of this section occurs less than three years from such effective date, but on or after January first, nineteen hundred ninety-nine, shall complete continuing education hours on a prorated basis at the rate of one-half hour per month for the period beginning January first, nineteen hundred ninety-eight up to the first registration date thereafter. A licensee who has not satisfied the mandatory continuing education requirements shall not be issued a triennial registration certificate by the department and shall not practice unless and until a conditional registration certificate is issued as provided for in subdivision three of this section. Continuing education hours taken during one triennium may not be transferred to a subsequent triennium.

3. The department, in its discretion, may issue a conditional registration to a licensee who fails to meet the continuing education requirements established in subdivision two of this section but who agrees to make up any deficiencies and complete any additional education which the department may require the fee for such a conditional registration shall be the same as, and in addition to, the fee for the triennial registration. The duration of such conditional registration shall be determined by the department but shall not exceed one year. Any licensee who is notified of the denial of registration for failure to submit evidence, satisfactory to the department, of required continuing education and who practices without such registration, may be subject to disciplinary proceedings pursuant to section sixty-five hundred ten of this chapter.

4. As used in subdivision two of this section, “Acceptable Formal Education” shall mean formal courses of learning which contribute to professional practice in ophthalmic dispensing and which meet the standards prescribed by regulations of the commissioner. Such formal courses of learning shall include, but not be limited to, collegiate level credit and non-credit courses. Professional development programs and technical sessions offered by national, state and lo-
cal professional associations and other organizations acceptable to the department, and any other organized educational and technical programs acceptable to the department. The department may, in its discretion and as needed to contribute to the health and welfare of the public, require the completion of continuing education courses in specific subjects to fulfill this mandatory continuing education requirement. Courses must be taken from a sponsor approved by the department, pursuant to the regulations of the commissioner.

5. Ophthalmic dispensers shall maintain adequate documentation of completion of acceptable formal continuing education and shall provide such documentation at the request of the department. Failure to provide such documentation upon the request of the department shall be an act of misconduct subject to disciplinary proceedings pursuant to section sixty-five hundred ten of this chapter.

6. The mandatory continuing education fee shall be forty-five dollars, shall be payable on or before the first day of each triennial registration period, and shall be paid in addition to the triennial registration fee required by section seventy-one hundred twenty-four of this article.

**UNPROFESSIONAL CONDUCT**

§ 29.1 General provisions.

a. Unprofessional conduct shall be the conduct prohibited by this section. The provisions of these rules applicable to a particular profession may define additional acts or omissions as unprofessional conduct and may establish exceptions to these general prohibitions.

b. Unprofessional conduct in the practice of any profession licensed, certified or registered pursuant to title VIII of the Education Law, except for cases involving those professions licensed, certified or registered pursuant to the provisions of Article 131 or 131-B of such law in which a statement of charges of professional misconduct was not served on or before July 26, 1991, the effective date of Chapter 606 of the Laws of 1991, shall include:

1. willful or grossly negligent failure to comply with substantial provisions of Federal, State or local laws, rules or regulations governing the practice of the profession;

2. exercising undue influence on the patient or client, including the promotion of the sale of services, goods, appliances or drugs in such manner as to exploit the patient or client for the financial gain of the practitioner or of a third party;
3. directly or indirectly offering, giving, soliciting, or receiving or agreeing to receive, any fee or other consideration to or from a third party for the referral of a patient or client or in connection with the performance of professional services;

4. permitting any person to share in the fees for professional services, other than: a partner, employee, associate in a professional firm or corporation, professional subcontractor or consultant authorized to practice the same profession, or a legally authorized trainee practicing under the supervision of a licensed practitioner. This prohibition shall include any arrangement or agreement whereby the amount received in payment for furnishing space, facilities, equipment or personnel services used by a professional licensee constitutes a percentage of, or is otherwise dependent upon, the income or receipts of the licensee from such practice, except as otherwise provided by law with respect to a facility licensed pursuant to Article 28 of the Public Health Law or Article 13 of the Mental Hygiene Law;

5. conduct in the practice of a profession which evidences moral unfitness to practice the profession;

6. willfully making or filing a false report, or failing to file a report required by law or by the Education Department, or willfully impeding or obstructing such filing, or inducing another person to do so;

7. failing to make available to a patient or client, upon request, copies of documents in the possession or under the control of the licensee which have been prepared for and paid for by the patient or client;

8. revealing of personally identifiable facts, data or information obtained in a professional capacity without the prior consent of the patient or client, except as authorized or required by law;

9. practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform, or performing without adequate supervision professional services which the licensee is authorized to perform only under the supervision of a licensed professional, except in an emergency situation where a person’s life or health is in danger;

10. delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified, by training, by experience or by licensure, to perform them;

11. performing professional services which have not been duly authorized by the patient or client or his or her legal representative;

12. advertising or soliciting for patronage that is not in the public interest:

i. Advertising or soliciting not in the public interest shall include, but not be limited to, advertising or soliciting that:
a. is false, fraudulent, deceptive or misleading;

b. guarantees any service;

c. makes any claim relating to professional services or products or the cost or price thereof which cannot be substantiated by the licensee, who shall have the burden of proof;

d. makes claims of professional superiority which cannot be substantiated by the licensee, who shall have the burden of proof; or

e. offers bonuses or inducements in any form other than a discount or reduction in an established fee or price for a professional service or product.

ii. The following shall be deemed appropriate means of informing the public of the availability of professional services:

a. informational advertising not contrary to the foregoing prohibitions; and

b. the advertising in a newspaper, periodical or professional directory or on radio or television of fixed prices, or a stated range of prices, for specified routine professional services, provided that if there is an additional charge for related services which are an integral part of the overall service being provided by the licensee, the advertisement shall so state, and provided further that the advertisement indicates the period of time for which the advertised prices shall be in effect.

iii.

a. all licensees placing advertisements shall maintain, or cause to be maintained, an exact copy of each advertisement, transcript, tape or videotape thereof as appropriate for the medium used, for a period of one year after its last appearance. This copy shall be made available for inspection upon demand of the Education Department;

b. a licensee shall not compensate or give anything of value to representatives of the press, radio, television or other communications media in anticipation of or in return for professional publicity in a news item;

iv. Testimonials, demonstrations, dramatizations, or other portrayals of professional practice are permissible provided that they otherwise comply with the rules of professional conduct and further provided that the following conditions are satisfied:

a. the patient or client expressly authorizes the portrayal in writing;

b. appropriate disclosure is included to prevent any misleading information or imagery as to the identity of the patient or client;
c. reasonable disclaimers are included as to any statements made or results achieved in a particular matter;

d. the use of fictional situations or characters may be used if no testimonials are included; and

e. fictional client testimonials are not permitted;

13. failing to respond within 30 days to written communications from the Education Department or the Department of Health and to make available any relevant records with respect to an inquiry or complaint about the licensee’s unprofessional conduct. The period of 30 days shall commence on the date when such communication was delivered personally to the licensee. If the communication is sent from either department by registered or certified mail, with return receipt requested, to the address appearing in the last registration, the period of 30 days shall commence on the date of delivery to the licensee, as indicated by the return receipt;

14. violating any term of probation or condition or limitation imposed on the licensee by the Board of Regents pursuant to Education Law, Section 6511.

§ 29.2 General provisions for health professions.

a. Unprofessional conduct shall also include, in the professions of: acupuncture, athletic training, audiology, certified dental assisting, chiropractic, creative arts therapy, dental hygiene, dentistry, dietetics/nutrition, licensed practical nursing, marriage and family therapy, massage therapy, medicine, mental health counseling, midwifery, occupational therapy, ophthalmic dispensing, optometry, pharmacy, physical therapist assistant, physical therapy, physician assistant, podiatry, psychoanalysis, psychology, registered professional nursing, respiratory therapy, respiratory therapy technician, social work, specialist assistant, occupational therapy assistant, speech-language pathology, except for cases involving those professions licensed, certified or registered pursuant to the provisions of Article 131 or 131-B of the Education Law in which a statement of charges of professional misconduct was not served on or before July 26, 1991, the effective date of Chapter 606 of the Laws of 1991:

1. abandoning or neglecting a patient or client under and in need of immediate professional care, without making reasonable arrangements for the continuation of such care, or abandoning a professional employment by a group practice, hospital, clinic or other health care facility, without reasonable notice and under circumstances which seriously impair the delivery of professional care to patients or clients;

2. willfully harassing, abusing or intimidating a patient either physically or verbally;
3. failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient. Unless otherwise provided by law, all patient records must be retained for at least six years. Obstetrical records and records of minor patients must be retained for at least six years, and until one year after the minor patient reaches the age of 21 years;

4. using the word “Doctor” in offering to perform professional services without also indicating the profession in which the licensee holds a doctorate;

5. failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of the licensed professional;

6. guaranteeing that satisfaction or a cure will result from the performance of professional services;

7. ordering of excessive tests, treatment, or use of treatment facilities not warranted by the condition of the patient;

8. claiming or using any secret or special method of treatment which the licensee refuses to divulge to the State Board for the profession;

9. failing to wear an identifying badge, which shall be conspicuously displayed and legible, indicating the practitioner’s name and professional title authorized pursuant to the Education Law, while practicing as an employee or operator of a hospital, clinic, group practice or multiprofessional facility, registered pharmacy, or at a commercial establishment offering health services to the public;

10. entering into an arrangement or agreement with a pharmacy for the compounding and/or dispensing of coded or specially marked prescriptions;

11. with respect to all professional practices conducted under an assumed name, other than facilities licensed pursuant to Article 28 of the Public Health Law or Article 13 of the Mental Hygiene Law, failing to post conspicuously at the site of such practice the names and the licensure field of all of the principal professional licensees engaged in practice at that site (i.e., principal partners, officers or principal shareholders);

12. issuing prescriptions for drugs and devices which do not contain the following information: the date written, the prescriber’s name, address, telephone number, profession and registration number, the patient’s name, address and age, the name, strength and quantity of the prescribed drug or device, as well as the directions for use by the patient. In addition, all prescriptions for controlled substances shall meet the requirements of Article 33 of the Public Health Law; and

13. failing to use scientifically accepted infection prevention techniques appropriate to each profession for the cleaning and steril-
ization or disinfection of instruments, devices, materials and work surfaces, utilization of protective garb, use of covers for contamination-prone equipment and the handling of sharp instruments. Such techniques shall include but not be limited to:

i. wearing of appropriate protective gloves at all times when touching blood, saliva, other body fluids or secretions, mucous membranes, nonintact skin, blood-soiled items or bodily fluid-soiled items, contaminated surfaces, and sterile body areas, and during instrument cleaning and decontamination procedures;

ii. discarding gloves used following treatment of a patient and changing to new gloves if torn or damaged during treatment of a patient; washing hands and donning new gloves prior to performing services for another patient; and washing hands and other skin surfaces immediately if contaminated with blood or other body fluids;

iii. wearing of appropriate masks, gowns or aprons, and protective eyewear or chin-length plastic face shields whenever splashing or spattering of blood or other body fluids is likely to occur;

iv. sterilizing equipment and devices that enter the patient’s vascular system or other normally sterile areas of the body;

v. sterilizing equipment and devices that touch intact mucous membranes but do not penetrate the patient’s body or using high-level disinfection for equipment and devices which cannot be sterilized prior to use for a patient;

vi. using appropriate agents, including but not limited to detergents for cleaning all equipment and devices prior a sterilization or disinfection;

vii. cleaning, by the use of appropriate agents, including but not limited to detergents, equipment and devices which do not touch the patient or that only touch the intact skin of the patient;

viii. maintaining equipment and devices used for sterilization according to the manufacturer’s instructions;

ix. adequately monitoring the performance of all personnel, licensed or unlicensed, for whom the licensee is responsible regarding infection control techniques;

x. placing disposable used syringes, needles, scalpel blades, and other sharp instruments in appropriate puncture-resistant containers for disposal; and placing reusable needles, scalpel blades, and other sharp instruments in appropriate puncture-resistant containers until appropriately cleaned and sterilized;
xi. maintaining appropriate ventilation devices to minimize the need for emergency mouth-to-mouth resuscitation;

xii. refraining from all direct patient care and handling of patient care equipment when the health care professional has exudative lesions or weeping dermatitis and the condition has not been medically evaluated and determined to be safe or capable of being safely protected against in providing direct patient care or in handling patient care equipment; and

xiii. placing all specimens of blood and body fluids in well-constructed containers with secure lids to prevent leaking; and cleaning any spill of blood or other body fluid with an appropriate detergent and appropriate chemical germicide.

b. Unprofessional conduct shall also include, in those professions specified in Section 18 of the Public Health Law and in the professions of acupuncture, creative arts therapy, marriage and family therapy, massage therapy, mental health counseling, and psychoanalysis, failing to provide access by qualified persons to patient information in accordance with the standards set forth in Section 18 of the Public Health Law. In the professions of acupuncture, creative arts therapy, marriage and family therapy, massage therapy, mental health counseling, and psychoanalysis, qualified persons may appeal the denial of access to patient information in the manner set forth in Section 18 of the Public Health Law to a record access committee appointed by the executive secretary of the appropriate State Board. Such record access review committees shall consist of not less than three, nor more than five members of the appropriate State Board.

§ 29.9 Special provisions for the profession of ophthalmic dispensing.

a. Unprofessional conduct in the practice of ophthalmic dispensing shall include all conduct prohibited by Sections 29.1 and 29.2 of this Part, except as provided in this section, and shall also include the following:

1. advertisements of the prices of frames or lenses which do not identify the lenses as single vision, bifocal or trifocal; the specific type of bifocal or trifocal lenses, and as either glass or plastic. Advertisements which indicate that a number of frame types are available at a stated price at an establishment shall not be prohibited; provided, however, that stock sufficient to meet any demand which may be reasonably expected must be maintained at the location. Advertisements of the prices of contact lenses shall state whether the lenses are hard or soft. Any advertised price shall be in effect for a period of time stated in the advertisement;

2. aiding and abetting, directly or indirectly, the conduct or adver-
tising of any employer, firm or associate if such conduct or advertising conflicts with the foregoing regulations. It shall also be unprofessional conduct for a licensee to continue in the employment of an employer who has been found to have advertised in violation of these regulations after a preliminary hearing. Notice of such preliminary hearing shall be given in writing to the licensee and to the employer. It shall state the specific violation or violations, and that continuation of the licensee’s employment after the charges are sustained may constitute unprofessional conduct by the licensee. It shall also state that both the licensee and the employer shall have the right to appear at the preliminary hearing, the right to be represented by counsel, and the rights set forth in Section 6510 of the Education Law;

3. failing to fill the prescription in which the refractive error of the eye at a vertex distance is indicated and to dispense the proper effective power of the prescription as adapted and fitted to the patient. Such prescription may not be modified without the approval of the prescriber and unless this approval is noted on the prescription;

4. failing to adhere to standards for ophthalmic materials as set forth in regulations of the Commissioner of Education; or

5. failing to wear an identifying badge, as required by Section 29.2(a)(10) of this Part, while working in an establishment which dispenses eyeglasses or lenses to the public.

b. Nothing in this Part shall be construed to prevent the sale of eyeglasses or lenses for the correction of vision by any person, firm or corporation in accordance with the provisions of Section 7126(1) of the Education Law, or to prevent any contractual arrangement between any such person, firm or corporation, its professional employees, or a person leasing space or equipment to such firm or corporation under which the amount due any of such parties is computed on the basis of a percentage of the receipts from the performance of professional services. This provision shall apply in lieu of Section 29.1(b)(4) of this Part.

REGULATIONS OF THE COMMISSIONER
PART 67, OPHTHALMIC DISPENSING

§ 67.1 Education requirement.

a. As used in this section, acceptable accrediting agency shall mean an organization accepted by the department as a reliable authority for the purpose of accreditation at the postsecondary level, applying its criteria for granting accreditation in a fair, consistent, and nondiscriminatory manner, such as an agency recognized for this purpose by the United States Department of Education.

b. Licensure requirement. To meet the professional education re-
requirement for licensure as an ophthalmic dispenser in this State, the applicant shall present evidence of completion of:

1. a program in ophthalmic dispensing of at least 60 semester hours or its equivalent that is registered by the department pursuant to Part 52 of this Title, or accredited by an acceptable accrediting agency, or determined by the department to be the equivalent of such a registered or accredited program; or

2. alternative training and experience of at least two years, as prescribed in section 67.2 (a) of this Part, under the supervision of a licensed ophthalmic dispenser, optometrist, or physician who shall be on-site and readily accessible to provide personal advice and assistance to the applicant, when the applicant is receiving clinical training and experience. Such applicant shall also present evidence of a one-year course of study in mathematics completed prior to or concurrently with such training and experience.

c. Requirement for certification to fit contact lenses. To meet the professional education requirement for certification to fit contact lenses in this State, the applicant shall present satisfactory evidence of completion of:

1. a program in ophthalmic dispensing that meets the requirements for professional licensure, as prescribed in paragraph (1) of subdivision (b) of this section; or

2. acceptable alternative training and experience of at least one year, as prescribed in section 67.2 (b) of this Part, under the supervision of a licensed ophthalmic dispenser, optometrist, or physician who shall be on-site and readily accessible to provide personal advice and assistance to the applicant, when the applicant is receiving clinical training and experience.

§67.2 Alternative training and experience requirements.

a. Licensure. To meet the professional education requirement for licensure through acceptable alternative training and experience, pursuant to paragraph (2) of subdivision (b) of section 67.1 of this Part, the applicant shall meet the requirements of paragraph (1) or (2) of this subdivision, as applicable.

1. Applicants who are issued an initial training permit for basic ophthalmic dispensing training prior to April 3, 1998, pursuant to section 67.4 of this Part, shall either complete all the requirements of this paragraph or all the requirements of paragraph (2) of this subdivision. Applicants shall satisfactorily complete:

i. at least 1,200 clock hours in fitting and adjusting of ophthalmic eyewear; and

ii. at least 600 clock hours in the verification and interpretation of prescriptions; and
iii. at least 600 clock hours in other aspects of practice and theory of dispensing, including laboratory preparation.

2. Applicants who are issued an initial training permit for basic ophthalmic dispensing training on or after April 3, 1998, pursuant to section 67.4 of this Part, shall satisfactorily complete training and experience of at least 2,400 clock hours, acceptable to the department, which shall include a program approved by the Commission on Opticianry Accreditation, or its successors, or an equivalent organization. Such training and experience shall include but not be limited to training in: ophthalmic medical terminology; optical theory; anatomy, physiology, and pathology of the eye; ophthalmic lens design and types; verification and interpretation of prescriptions; lens applications; fitting and adjusting of ophthalmic eyewear; other aspects of practice and theory of dispensing, including laboratory preparation; and clinical experience in ophthalmic dispensing.

b. Certification to fit contact lenses. To meet the professional education requirement for certification to fit contact lenses through alternative training and experience, as prescribed in paragraph (2) of subdivision (c) of section 67.1 of this Part, the applicant shall meet the requirements of paragraph (1) or (2) of this subdivision, as applicable.

1. Applicants who are issued an initial training permit for training in the fitting of contact lenses prior to April 3, 1998, pursuant to section 67.4 of this Part, shall either complete all of the requirements of this paragraph or all of the requirements of paragraph (2) of this subdivision. Applicants shall satisfactorily complete an additional preceptorship of at least 1,200 clock hours in fitting and adjusting of contact lenses, the verification and interpretation of contact lens prescriptions, and other aspects of practice and theory of contact lens fitting.

2. Applicants who are issued an initial training permit for the fitting of contact lenses on or after April 3, 1998, pursuant of section 67.4 of this Part, shall complete additional training and experience of at least 1,200 clock hours in the fitting of contact lenses, acceptable to the department, which shall include a program which is approved by the Commission on Opticianry Accreditation, or its successor, or an equivalent organization. Such training and experience shall include but not be limited to training in: contact lens medical terminology, optics and contact lenses, fitting and adjusting contact lenses, patient education, keratometry, biomicroscopy, the anatomy and physiology of the eye, and a clinical experience in the fitting of contact lenses.
§67.3 Examinations.

a. Licensing examination.

1. The licensing examination shall include a written and a practical examination.

2. The written examination shall include, but not be limited to, the following subjects: theoretical optics, ophthalmic optics, ocular anatomy, physiology and anomalies, ophthalmic dispensing, materials and services, and matters of law, ethics, or practice as may be deemed appropriate by the department.

3. The practical examination shall include, but need not be limited to, the following skills: fitting and adjusting of lenses; neutralization and lens identification; and prescription analysis.

4. A candidate shall pass the written examination before taking the practical examination.

5. Passing score. The passing score for the written examination and for the practical examination shall be 75.0, as determined by the State Board.

b. Contact lens examination. The certification examination for the fitting of contact lenses shall include a written and a practical examination.

1. The certification examination shall measure:

   i. knowledge which shall include but not be limited to: ocular anatomy, physiology and pathology, optics of contact lenses, fitting and adjusting of contact lenses, ocular prostheses and devices, dispensing and follow-up care, subjective signs and symptoms, and ocular pharmacology; and

   ii. skills which shall include but not be limited to: planning a contact lens fitting procedure, objective and subjective signs and symptoms; visual and ocular anomalies, special fitting problems and lens designs, application of required instruments and equipment, determining corneal contact lens specifications, and delivery and follow-up care.

2. A candidate shall pass the written examination before taking the practical examination.

3. The passing score for the written examination and for the practical examination shall be 75.0 as determined by the State Board.

§67.4 Training permits.

a. Notwithstanding the requirements of section 59.2 of this Title, every person who seeks to meet the education requirement for licensure as an ophthalmic dispenser or the education requirement
for certification to fit contact lenses through completion of acceptable alternative training and experience, as such requirements are prescribed in sections 67.1 and 67.2 of this Part, shall apply to the department for a training permit prior to commencing such training.

**b.** To qualify for a training permit for basic ophthalmic dispensing training, a candidate shall present satisfactory evidence of:

1. enrollment in a training and experience program, which meets the requirements of sections 67.1 (b)(2) and 67.2 (a) of this Part; and
2. attestation by a licensed ophthalmic dispenser, physician, or optometrist that the candidate’s training and experience program shall meet the requirements of sections 67.1 (b)(2) and 67.2 (a) of this Part and be under the supervision of a licensed ophthalmic dispenser, physician, or optometrist who shall be on site and readily accessible to provide personal advice and assistance to the candidate, when the candidate is receiving clinical training and experience.

c. To qualify for a training permit for contact lens fitting, a candidate shall present satisfactory evidence of:

1. enrollment in a training and experience program, which meets the requirements of sections 67.1 (c)(2) and 67.2 (b) of this Part; and
2. attestation by a licensed ophthalmic dispenser, physician, or optometrist that the candidate’s training and experience program shall meet the requirements of sections 67.1 (c)(2) and 67.2 (b) of this Part and be under the supervision of a licensed ophthalmic dispenser, physician, or optometrist who shall be on site and readily accessible to provide personal advice and assistance to the candidate, when the candidate is receiving clinical training and experience.

d. **Duration.** A training permit shall be valid for a period not to exceed two years, or until 60 days after notification by the department that the education requirement for licensure has been met, whichever first occurs. At the discretion of the department, a permit may be renewed for one additional period not to exceed one year.

e. **Supervision.** A licensed ophthalmic dispenser, optometrist, or physician may supervise concurrently no more than one candidate with a training permit.

§67.5 **Supervision of fitting contact lenses.**

Personal supervision by a physician or optometrist in the fitting of contact lenses pursuant to section 7121 of the Education Law shall mean:

a. the prescribing physician or optometrist is physically present during the fitting of contact lenses; or
b. if the prescribing physician or optometrist is not physically present during the fitting of contact lenses;

1. the ophthalmic dispenser fills the written prescription of a physician or optometrist in which the refractive error of the eye at a vertex distance is indicated, and which does not require the making of a molded impression of the eye in connection with the fitting of contact lenses. Such prescription may not be modified without confirmation in writing by the supervising physician or optometrist which shall be filed by the ophthalmic dispenser with the original prescription; and

2. the ophthalmic dispenser shall direct the patient to return to the supervising physician or optometrist who shall check the fit and accuracy of the lenses prior to discharge by the physician or optometrist.

§67.6 Continuing education for ophthalmic dispensers.

a. As used in this section, acceptable accrediting agency shall mean an organization accepted by the department as a reliable authority for the purpose of accreditation at the postsecondary level, applying its criteria for granting accreditation in a fair, consistent, and nondiscriminatory manner, such as an agency recognized for this purpose by the United States Department of Education.

b. Applicability of requirement.

1. Each licensed ophthalmic dispenser, required under Article 130 of the Education Law to register with the department to practice in New York State, shall comply with the mandatory continuing education requirements as prescribed in subdivision (c) of this section, except those licensees exempt from the requirement or who obtain an adjustment to the requirement pursuant to paragraph (2) of this subdivision.

2. Exemptions and adjustments to the requirement.

i. Exemptions. The following licensees shall be exempt from the continuing education requirements, as prescribed in subdivision (c) of this section:

a. licensees for the triennial registration period during which they are first licensed to practice ophthalmic dispensing in New York State, exclusive of those first licensed to practice ophthalmic dispensing in New York State pursuant to an endorsement of a license of another jurisdiction; and

b. licensees whose first registration date following January 1, 1998 occurs prior to January 1, 1999, for periods prior to such registration date; and
c. Licensees who are not engaged in the practice of ophthalmic dispensing, as evidenced by not being registered to practice in New York State, except as otherwise provided in paragraph (4) of subdivision (c) of this section to meet the education requirements for the resumption of practice after a lapse in practice for a licensee who has not lawfully practiced continuously in another jurisdiction throughout such lapse period.

ii. Adjustments to the requirement. An adjustment to the continuing education requirement, as prescribed in subdivision (c) of this section, shall be made by the department, provided that the licensee documents good cause that prevents compliance, which shall include, but not be limited to, any of the following reasons: poor health certified by an appropriate health care professional; or extended active duty with the armed forces of the United States; or extreme hardship which in the judgement of the department makes it impossible for the licensee to comply with the continuing education requirements in a timely manner.

c. Mandatory continuing education requirement.

1. Requirement for ophthalmic dispensers who are not certified to fit contact lenses. During each triennial registration period, meaning a registration period of three years’ duration, an applicant for registration as an ophthalmic dispenser who is not certified to fit contact lenses shall complete at least 18 hours of formal continuing education acceptable to the department, as defined in paragraph (6) of this subdivision, provided that no more than three hours shall be in recognized areas of study pertaining to the dispensing and fitting of contact lenses and no more than three hours shall consist of self-study courses.

2. Requirement for ophthalmic dispensers who are certified to fit contact lenses. During each triennial registration period, meaning a registration period of three years’ duration, an applicant for registration as an ophthalmic dispenser who is certified to fit contact lenses shall complete 20 hours of formal continuing education acceptable to the department, as defined in paragraph (6) of this subdivision, provided that at least 10 hours shall be in recognized areas of study pertinent to the dispensing and fitting of contact lenses and no more than three hours shall consist of self-study courses.

3. Any licensed ophthalmic dispenser whose first registration date following January 1, 1998 occurs less than three years from that date, but on or after January 1, 1999, shall complete continuing education hours on a prorated basis at the rate of one-half hour of acceptable formal continuing education per month for the period beginning January 1, 1998 up to the first registration date thereafter. Such continuing education shall be completed during the period beginning January 1, 1998 and ending before the first day of the new
registration period or at the option of the licensee during any time in the previous registration period.


i. A licensee returning to the practice of ophthalmic dispensing after a lapse in practice, as evidenced by not being registered to practice in New York State, whose first registration date after such lapse in practice and following January 1, 1998 occurs less than three years from January 1, 1998, but on or after January 1, 1999, shall be required to complete:

   a. at least one-half hour of acceptable formal continuing education for each month beginning with January 1, 1998 until the beginning of the new registration period, which shall be completed for a licensee who has not lawfully practiced ophthalmic dispensing continuously in another jurisdiction throughout such lapse period, in the 12-month period before the beginning of the new registration period; and for the licensee who has lawfully practiced ophthalmic dispensing continuously in another jurisdiction throughout such lapse period, in the new registration period or at the option of the licensee in the period beginning the 36 months before the commencement of the new registration period and ending at the conclusion of such registration period; and

   b. for a licensee who has not lawfully practiced ophthalmic dispensing continuously in another jurisdiction throughout such lapse period, at least six hours of acceptable formal continuing education in each successive 12-month period to meet the regular continuing education requirement of the new registration period; and for a licensee who has lawfully practiced ophthalmic dispensing continuously in another jurisdiction throughout such lapse period, the regular continuing education requirement during the new registration period.

ii. Except as prescribed in subparagraph (i) of this paragraph for registrations therein specified, the licensee who returns to the practice of ophthalmic dispensing after a lapse in practice in which the licensee was not registered to practice in New York State and did not lawfully practice ophthalmic dispensing continuously in another jurisdiction throughout the lapse period, shall be required to complete:

   a. the continuing education requirement applicable to the period of time the licensee was registered in the licensee’s last registration period; and

   b. at least one-half hour of acceptable formal continuing education for each month of lapsed registration up to a maximum of the regular continuing education requirement of 18 or 20 hours, as ap-
plicable, which shall be completed in the 12 months before the beginning of the new registration period; and

**c.** at least six hours of acceptable formal continuing education in each succeeding 12-month period to meet the regular continuing education requirement, after such registration is reissued, until the next registration date.

**iii.** Except as prescribed in subparagraph (i) of this paragraph for registrations therein specified, the licensee who returns to the practice of ophthalmic dispensing after a lapse in practice in which the licensee was not registered to practice in New York State but did lawfully practice ophthalmic dispensing continuously in another jurisdiction throughout the lapse period, shall be required to complete:

**a.** the continuing education requirement applicable to the period of time the licensee was registered in the licensee’s last registration period; and

**b.** at least one-half hour of acceptable formal continuing education for each month of lapsed registration up to a maximum of the regular continuing education requirement of 18 or 20 hours, as applicable, which shall be completed in the new registration period, or at the option of the licensee in the period beginning 36 months before the commencement of the new registration period and ending at the conclusion of the new registration period; and

**c.** the regular continuing education requirement during the new registration period.

**5.** Proration. If a registration period is less than three years in duration, a licensed ophthalmic dispenser shall complete acceptable formal continuing education at the rate of one-half hour of continuing education per month for such registration period.

**6.** To be acceptable to the department, formal continuing education shall be formal courses of learning, including but not limited to collegiate level credit and non-credit courses, professional development programs, and technical sessions, which contribute to professional practice in ophthalmic dispensing:

**i.** in any one or more of the following curricular areas: theoretical optics; or ophthalmic optics; or contact lens optics; or ocular anatomy; or ocular physiology; or ocular anomalies; or ocular pharmacology; or fitting, adjusting, and dispensing ophthalmic and contact lenses; or verification and interpretation of prescriptions; or infection control; or sterile procedures; or legal and regulatory issues; or patient counseling; or other topics which contribute to the professional practice of ophthalmic dispensing as defined in section 7121
of the Education Law; or other matters of health care, law, and ethics which contribute to the health and welfare of the public; and

ii. obtained from a sponsor approved by the department pursuant to subdivision (h) of this section.

d. Renewal of registration. At each reregistration, licensed ophthalmic dispensers shall certify to the department that they have either complied with the continuing education requirements, as prescribed in subdivision (c) of this section; or are subject to an exemption or adjustment to such continuing education requirements, as prescribed in subdivision (b) of this section.

e. Conditional registration.

1. The department shall issue a conditional registration to a licensee who attests to or admits to noncompliance with the continuing education requirements of this section, provided that such licensee meets the following requirements:

i. the licensee agrees to remedy such deficiency within the conditional registration period;

ii. the licensee agrees to complete the regular continuing education requirement during such conditional registration period; and

iii. the licensee agrees to complete additional continuing education during such conditional registration period, which the department may require to ensure the licensee’s proper delivery of ophthalmic dispensing care consistent with the licensee’s practice of ophthalmic dispensing.

2. The duration of such conditional registration shall not exceed one year and shall not be renewed or extended.

f. Licensee records. Each licensee subject to this section shall maintain, or ensure access by the department to, a record of completed continuing education, which includes: the title of the program, the number of hours completed, the sponsor’s name and any identifying number, attendance verification, and the date and location of the program. Such records shall be retained for at least six years from the date of completion of the program and shall be available for review by the department in the administration of the requirements of this section.

g. Measurement of continuing education study. Continuing education credit shall be granted only for formal programs of learning that meet the requirements set forth in subdivision (c) of this section. A minimum of 50 minutes of study shall equal one hour of continuing education credit. For credit-bearing university or college courses,
each semester-hour of credit shall equal 15 hours of continuing education credit, and each quarter-hour of credit shall equal 10 hours of continuing education credit.

h. Sponsor approval.

1. The department shall conduct a review of sponsors that apply for approval to offer continuing education to licensed ophthalmic dispensers.

2. Organizations desiring to offer continuing education to licensed ophthalmic dispensers based upon a department review under this subdivision shall submit, with the fee as set forth in subdivision (i) of this section, an application for advance approval as a sponsor at least 90 days prior to the date for the commencement of such continuing education, that documents that the organization:

i. will offer courses of study in any one or more of the following curricular areas: theoretical optics; or ophthalmic optics; or contact lens optics; or ocular anatomy; or ocular physiology; or ocular anomalies; or ocular pharmacology; or fitting, adjusting, and dispensing ophthalmic and contact lenses; or verification and interpretation of prescriptions; or infection control; or sterile procedures; or legal and regulatory issues; or patient counseling; or other topics which contribute to the professional practice of ophthalmic dispensing as defined in section 7121 of the Education Law; or other matters of health care, law, and ethics which contribute to the health and welfare of the public;

ii. is an organized entity, including but not limited to, an institution that offers a program in ophthalmic dispensing accredited by an acceptable accrediting agency; or a national, State, or local ophthalmic dispensing association; or a hospital or health maintenance organization; which is an entity that meets the requirements of this subdivision;

iii. has adequate resources, including but not limited to, facilities and equipment, to support the courses that will be offered;

iv. provides course instructors who are qualified to teach the courses which will be offered, including but not limited to, faculty of a program in ophthalmic dispensing accredited by an acceptable accrediting agency; or instructors who are authorities in the health sciences specially qualified, in the opinion of the State Board for Ophthalmic Dispensing, to conduct such courses;

v. has a method of adequately assessing the learning of participants, and describes such method; and
vi. will maintain records for at least six years from the date of completion of coursework, which shall include, but shall not be limited to, the name and curriculum vitae of the faculty, a record of attendance of licensed ophthalmic dispensers in such coursework, an outline of the course of instruction, date and location of the coursework, and the number of hours for completion of the coursework. In the event an approved sponsor discontinues operation, the governing body of such sponsor shall notify the department and shall transfer all records as directed by the department.

3. Sponsors shall be approved for a three-year term.

4. The department may conduct site visits of or request information from a sponsor to ensure compliance with the requirements of this subdivision, and a sponsor shall cooperate with the department in permitting such site visits and in providing such information.

5. A determination by the department that a sponsor is not meeting the standards set forth in this subdivision shall result in the denial or termination of the approved status of the sponsor.

i. Fees.

1. At the beginning of each registration period, a mandatory continuing education fee of $45 shall be collected from licensees engaged in the practice of ophthalmic dispensing in New York State, except for those exempt from the requirement pursuant to subparagraph (i) of paragraph (2) of subdivision (b) of this section. This fee shall be in addition to the registration fee required by section 7124 of the Education Law.

2. Licensees applying for a conditional registration, pursuant to the requirements of subdivision (e) of this section, shall pay a fee that is the same as and in addition to, the fee for the triennial registration required by section 7124 of the Education Law. In addition, such licensees shall pay the $45 mandatory continuing education fee.

3. Organizations desiring to offer continuing education to licensed ophthalmic dispensers shall submit an application fee of $900 with its application for the issuance of a permit from the department to become an approved sponsor of a formal continuing education program. A fee of $900 shall accompany the application for a three-year renewal of the permit.
**Faculty**

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<tr>
<th>Name</th>
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<tbody>
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*Vistasite Eye Centers*
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- 34th Stree & 6th Avenue: B F N Q R V W
- Lexington Avenue

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- Borough Hall:
- Jay Street/ Metrotech Station:
- Hoyt Street:
- Dekalb Avenue:

**Buses:** Fulton Mall & Bridge Street:
B25, B26, B38, B52, B61, B67, B75