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# DRAFT 4/3/03

## Proposed Amendment to Section 6 of AB 452:

3-35 Sec. 6. NRS 637.090 is hereby amended to read as follows:

3-36 637.090 {A}

3-37 1. *Except as otherwise provided in this section, a person shall*

3-38 not engage in the practice of ophthalmic dispensing or manage a  
3-39 business engaged in ophthalmic dispensing without holding a  
valid,

3-40 active license issued as provided by this chapter.

3-41 2. *A person may practice ophthalmic dispensing if:*

3-42 (a) *He is enrolled as a student in a course of study for*  
3-43 *ophthalmic dispensing at a school which offers a degree of*  
3-44 *associate in applied science for studies in ophthalmic*  
*dispensing and is accredited by the Commission on Opticianry*  
*Accreditation;*

4-1 (b) *He practices ophthalmic dispensing under the direct*  
4-2 *supervision of a licensed dispensing optician, licensed*  
*optometrist or licensed ophthalmologist as part of the course of*  
*study described in paragraph (a); and*

4-4 ~~*(c) The licensed dispensing optician, licensed optometrist or*~~  
4-5 ~~*licensed ophthalmologist providing direct supervision pursuant*~~  
~~*to this section is approved by the Board to provide such direct*~~  
4-7 ~~*supervision.*~~ *The course of study described in paragraph (a) is*  
*approved by the Board for the purposes of this section.*

## Proposed Addition to AB 452:

Sec. 24. NRS 637.025 is hereby amended to read as follows:

**Applicability.** Nothing in this chapter shall be construed:

1. To apply to ophthalmic dispensing personally by a licensed physician, surgeon or optometrist unless exclusively engaged in the business of filling prescriptions.

2. To apply to ophthalmic dispensing by an employee of a licensed physician, surgeon or optometrist if the employee:

*(a) Practices ophthalmic dispensing only under the direct supervision of the licensed physician, surgeon or optometrist; and*

*(b) While practicing ophthalmic dispensing, only acts to assist the licensed physician, surgeon or optometrist.*

*3. To apply to dispensing of prepackaged contact lenses by a licensed pharmacist pursuant to NRS 639.2825.*

*{2} 4. To prohibit the sale of goggles, sun glasses, colored glasses or occupational protective eye devices not having a refractive value, or the sale as merchandise of complete ready-to-wear eyeglasses.*