

(c) If the ophthalmic dispenser apprentice fails the qualifying technical examination, he or she shall no longer serve the public by dispensing, measuring or fitting prescriptive eyewear. An ophthalmic dispenser apprentice who has failed the qualifying technical examination shall not accumulate time towards the three-year apprenticeship requirement until the apprentice passes the qualifying technical examination. If the ophthalmic dispenser apprentice is unsuccessful in passing three consecutive examinations, the apprentice shall surrender the apprentice permit. In the event that the ophthalmic dispenser apprentice meets the requirements to sit for examination and neither applies for, appears at, or is excused from said examination, an automatic failure will be imposed.

(d) An individual who has failed the Qualifying Technical examination three times may take the Ophthalmic Technician Licensing examination. If the individual passes the Ophthalmic Technician Licensing examination, he or she shall be reinstated in the Ophthalmic Dispensing Apprenticeship. The individual may take the Ophthalmic Technician Licensing examination three times.

(e) During the 36 months of the apprenticeship, the ophthalmic dispenser apprentice shall complete at least 30 hours of course work in ophthalmic science from a school accredited by the Commission on Opticianry Accreditation. The 30 credits shall include Materials I and II Lecture and Materials I and II Lab, taken within the first 12 months of apprenticeship; Dispensing I and II Lecture and Dispensing I and II Lab; Principles of Optics (Theory of Optics); Anatomy and Physiology of the Eye; and Contact Lens Theory. Apprentices shall obtain a grade of either a "C," or better, or a numerical grade of 70, or better, in all required optical science courses.

(f) At the completion of the 36-month apprenticeship, the ophthalmic dispenser apprentice shall apply for the first scheduled ophthalmic dispenser licensing examination. In the event of illness, extreme emergency, or other good cause, an extension of application to the next succeeding examination may be granted by the Board.

(g) If the ophthalmic dispenser apprentice fails three consecutive ophthalmic dispenser licensing examinations, the apprentice dispenser shall return the dispenser permit to the Board. An ophthalmic dispenser apprentice who has returned his or her permit to the Board may retake the ophthalmic dispensing licensing examination provided that the last year of experience as an apprentice dispenser was acquired within the past two years.

(h) In the event that the ophthalmic dispenser apprentice meets the requirements to sit for examination and neither applies for, appears at, or is excused from said examination, an automatic failure will be imposed.

Amended by R.1983 d.15, effective February 7, 1983.
See: 14 N.J.R. 545(a), 15 N.J.R. 157(a).

Deleted old text and added new text.
Amended by R.1987 d.323, effective August 3, 1987.
See: 19 N.J.R. 917(a), 19 N.J.R. 1455(a).
Substantially amended.
Amended by R.1995 d.192, effective April 3, 1995.
See: 27 N.J.R. 298(a), 27 N.J.R. 1428(a).
Amended by R.2000 d.146, effective April 3, 2000.
See: 32 N.J.R. 241(a), 32 N.J.R. 1236(a).
Rewrote the section.

13:33-1.14 Ophthalmic technician apprentice; licensing examination

(a) An ophthalmic technician apprentice who has served as an apprentice for at least one calendar year of full-time employment shall apply for the first examination after the completion of the one year of full-time employment.

(b) In the event of illness, extreme emergency, or other good cause, an extension of application to the next succeeding examination may be granted by the Board.

(c) If the ophthalmic technician apprentice is unsuccessful in passing three consecutive examinations, the apprentice shall return the apprentice technician permit to the Board. An ophthalmic technician apprentice who has returned his or her permit to the Board may retake the ophthalmic technician licensing examination provided that the last year of experience as an apprentice technician was acquired within the past two years.

(d) In the event that the ophthalmic technician apprentice meets the requirements to sit for examination and neither applies for, appears at, or is excused from said examination, an automatic failure shall be imposed.

New Rule, R.2000 d.146, effective April 3, 2000.
See: 32 N.J.R. 241(a), 32 N.J.R. 1236(a).
Former N.J.A.C. 13:33-1.14, Military Service, recodified to N.J.A.C. 13:33-1.16.

13:33-1.15 Review of examination

(a) An applicant who has failed the qualifying technical examination, the Ophthalmic Dispenser licensing examination or the Ophthalmic Technician licensing examination may apply to the Board for a review of his or her examination. The application shall be submitted, in writing, to the Executive Director of the Board within one month following notification of examination results.

(b) The Executive Director shall arrange a date for the applicant to review the deficiencies on his or her performance on the Board-generated portions of the examination with an examiner in the Board office. The Board-generated portions of the Qualifying Technical examination and the Ophthalmic Technician Licensing examination are the neutralizing and shop portions. The Board-generated portions of the Ophthalmic Dispenser Licensing examination are the neutralizing, shop and dispensing sections.

(c) The Executive Director shall arrange for the testing service to forward to the applicant a summary of the written

portion of the examination detailing the applicant's area of weakness.

(d) In the event an apprentice ophthalmic dispenser or technician fails the licensing examination for the second time, the apprentice shall obtain the Board's written approval of the preceptor under whose immediate supervision the apprentice intends to continue his or her apprenticeship.

New Rule, R.2000 d.146, effective April 3, 2000.
See: 32 N.J.R. 241(a), 32 N.J.R. 1236(a).

13:33-1.16 Military service

Any licensee who is engaged in active duty in the military service of this country shall be required to renew his or her license to keep it in force, but shall not be required to pay the renewal fee for any year during which he or she is in the service. Notwithstanding a licensee's engagement in active duty, a licensee shall be required to meet all continuing education requirements within 12 months of returning to practice.

Amended by R.1995 d.192, effective April 3, 1995.
See: 27 N.J.R. 298(a), 27 N.J.R. 1428(a).
Recodified from N.J.A.C. 13:33-1.14 and amended by R.2000 d.146, effective April 3, 2000.
See: 32 N.J.R. 241(a), 32 N.J.R. 1236(a).
Substituted "within 12 months of" for "prior to" following "requirements" in the last sentence.

13:33-1.17 Ophthalmic dispenser: definition; scope of practice

(a) A licensed ophthalmic dispenser prepares and dispenses to the intended wearer lenses, spectacles, eyeglasses, appurtenances thereto, or contact lenses only if those preparations are based on a written prescription from a licensed physician or licensed optometrist. A licensed ophthalmic dispenser also duplicates or replaces existing lenses, spectacles, eyeglasses, appurtenances, or contact lenses.

(b) The following functions are within the scope of practice of a licensed ophthalmic dispenser:

1. Those activities performed by licensed ophthalmic technicians as set forth in N.J.A.C. 13:33-1.18(b);
2. The determination that the lenses, spectacles, eyeglasses or contact lenses prepared and dispensed comport with the prescription that corrects the patient's visual anomaly;
3. The analysis and interpretation of prescriptions and lens design;
4. The taking of interpupillary distances (distance and near) and bifocal, trifocal, and progressive placement measurements;
5. The selection and measurement of frames for facial contour: eye size, bridge size, temple length, frame shape, and frame style;

6. The fitting, adjusting, or adapting of eyewear to the face and eyes;

7. The dispensing of contact lenses pursuant to N.J.A.C. 13:33-4.1;

8. The mailing of completed eyeglasses pursuant to N.J.A.C. 13:33-1.28; and

9. The mailing of contact lenses pursuant to N.J.A.C. 13:33-4.1.

Amended by R.1983 d.15, effective February 7, 1983.
See: 14 N.J.R. 545(a), 15 N.J.R. 157(a).
Repealed ophthalmic dispenser defined.
New Rule, R.2001 d.96, effective March 19, 2001.
See: 32 N.J.R. 1283(a), 33 N.J.R. 1009(a).

13:33-1.18 Ophthalmic technician: definition; scope of practice

(a) A licensed ophthalmic technician is one who has knowledge of optics, is skilled in the technique of producing and reproducing ophthalmic lenses and kindred products and mounting the same to supporting materials.

(b) The following functions are within the scope of practice of a licensed ophthalmic technician:

1. The reading and transposing of a prescription or work order for lenses;
2. The grinding of lenses; inspection of surface quality; determination of optical, mechanical, and geometric centers, prisms, lens powers, base curves, cross curves, cylinder location, multifocal lenses, progressive lenses, colors (tints and coatings), neutralization, optical cross, optical lens graph, power drum readings, and transposition;
3. The mounting of lenses in frames; evaluation of measurements and sizes (eye, vertical, horizontal, pupillary distances, bridge size, temple style, and length) and use of the boxing system;
4. The verification of the lens conformity to either the written prescription or to the lenses being duplicated using a lensometer, vertometer, or any other method of verifying prescriptions;
5. The inspection of a lens; locating of the appropriate meridians of power, centering and marking the lens, decentering of the lens for the major reference point, blocking the lens for edging, inserting lens in edger with pattern or without patternless edgers, determining appropriate size and bevel position; assessing safety bevels and crowning the lens, and performing bench alignment; and
6. Inspection of completed eyeglasses.

Amended by R.1983 d.15, effective February 7, 1983.
See: 14 N.J.R. 545(a), 15 N.J.R. 157(a).
Repealed ophthalmic technician defined.
New Rule, R.2001 d.96, effective March 19, 2001.
See: 32 N.J.R. 1283(a), 33 N.J.R. 1009(a).