

Chapter 683

Optometrists

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CASE CITATIONS: Oregon Newspaper Publishers Assn. v. Peterson, (1966) 244 Or 116, 415 P2d 21.

ATTY. GEN. OPINIONS: Hearing aids sold in form of eyeglasses frames, 1954-56, p 190; charges for violation preferred by member of board, 1958-60, p 366; construing "drug," 1962-64, p 206.

683.010

NOTES OF DECISIONS

Fitting of lenses requires professional skill and judgment requiring a license. State ex rel. Reed v. Kuzirian, (1961) 228 Or 619, 365 P2d 1046, 88 ALR 2d 1284.

FURTHER CITATIONS: State ex rel. Sisemore v. Standard Optical Co., (1947) 182 Or 452, 188 P2d 309.

ATTY. GEN. OPINIONS: Hearing aids sold in form of eyeglasses frames, 1954-56, p 190; use of fluorescein, 1962-64, p 206; use of diagnostic instruments in the practice of optometry, 1962-64, p 466.

LAW REVIEW CITATIONS: 27 OLR 349.

683.020

NOTES OF DECISIONS

The practice of optometry by a corporation through licensed employes is unlawful. State ex rel. Sisemore v. Standard Optical Co., (1947) 182 Or 452, 188 P2d 309.

Defendant's activity was part of the fitting process. State ex rel. Sahlstrom v. Malos, (1967) 245 Or 598, 422 P2d 580.

ATTY. GEN. OPINIONS: Right of osteopath to practice optometry, 1922-24, p 486; legality of act of corporation in advertising that it has an optical department, 1936-38, p 101; authority of an optician to determine or advise the patient whether or not contact lenses are necessary or advisable or to prepare the mold from the cornea of the eye or fit the contact lenses without first obtaining a license to practice optometry, 1944-46, p 471; authority to return fees, 1962-64, p 194.

683.030

ATTY. GEN. OPINIONS: Right of osteopath to treat eyes by fitting or adjusting glasses, 1932-34, p 129; hearing aids sold in form of eyeglasses frames, 1954-56, p 190.

683.040

NOTES OF DECISIONS

A corporation is not such a person as may take an examination in optometry and receive a license to practice. Thompson Optical Institute v. Thompson, (1926) 119 Or 252, 237 P 965.

FURTHER CITATIONS: State ex rel. Sisemore v. Standard Optical Co., (1947) 182 Or 452, 188 P2d 309.

ATTY. GEN. OPINIONS: Alien as qualified to take examination or be admitted to practice, 1942-44, p 329; constitutionality of citizenship requirement, (1970) Vol 35, p 367.

683.060

ATTY. GEN. OPINIONS: Authority of board to accept the grading of the national board of examiners in optometry of applicants for license as optometrists, 1952-54, p 151; constitutionality of citizenship requirement for certificates, (1970) Vol 35, p 367.

683.120

ATTY. GEN. OPINIONS: Payment of renewal fees by licensed optometrists while in military service, 1940-42, p 609; authority to return fees, 1962-64, p 194.

683.140

CASE CITATIONS: Head v. N. Mex. Bd. of Examiners in Optometry, (1963) 374 US 424, 427, 83 S Ct 1759, 1761, 10 L Ed 2d 983; Oregon Newspaper Publishers Assn. v. Peterson, (1966) 244 Or 116, 415 P2d 21.

ATTY. GEN. OPINIONS: Authority of the board to define employment of "cappers" and "steerers", 1940-42, p 252; advertisements by optometrists conflicting with this section, 1940-42, p 252; authority of the board to enlarge scope of "unprofessional conduct," 1940-42, p 412.

683.155

ATTY. GEN. OPINIONS: Record of grades as essential in appeal, 1952-54, p 131; charges preferred by member of board, 1958-60, p 366.

683.180

CASE CITATIONS: State ex rel. Sisemore v. Standard Optical Co., (1947) 182 Or 452, 188 P2d 309.

ATTY. GEN. OPINIONS: Duplication of glasses, by person not acting under or in conformity with prescription of licensed optometrist, 1926-28, p 140; payment to corporation for use of office space on basis of percentage of profits, and practice under an assumed name, 1936-38, p 101; advertising "one low price," 1966-68, p 604.

683.190

NOTES OF DECISIONS

This section does not authorize a dispensing optician to fit as well as grind and supply lenses. State ex rel. Reed v. Kuzirian, (1961) 228 Or 619, 365 P2d 1046, 88 ALR2d 1284.

683.270

CASE CITATIONS: State ex rel. Sisemore v. Standard Optical Co., (1947) 182 Or 452, 188 P2d 309; Oregon Newspaper Publishers Assn. v. Peterson, (1966) 244 Or 116, 415 P2d 21.

ATTY. GEN. OPINIONS: Authority to withdraw recognition from college and deny its graduates the privilege of taking examination, 1938-40, p 11; authority of the board to expend state funds contributing to the expense of defending an action for damages brought by a college of optometry against the International Association of Boards of Examiners in Optometry for refusal of the board to recognize a college as a qualified college under Oregon standards,

1942-44, p 304; record of grades as essential in appeal, 1952-54, p 131; charges for violation preferred by member of board, 1958-60, p 366; authority to return fees, 1962-64, p 194; expenses arising from attorney fees and the investigation of illegal or unethical practices, 1956-58, p 182; power to make rules regarding the practice of optometry, 1962-64, p 84; constitutionality of citizenship requirement for certificates, (1970) Vol 35, p 367.

683.290

ATTY. GEN. OPINIONS: Use of moneys for "educational purposes" and "general welfare of the public," 1956-58, p 182.