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April 21, 2008

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**Georgia Board of Optometry & Georgia Board of Dispensing Opticians
Joint Statement**

**TO: All Georgia Optometrists Licensed Dispensing Opticians, Unlicensed Owners
and Operators of Optical Businesses**

It has come to the attention of the Georgia Board of Optometry and the Georgia Board of Dispensing Opticians that clarification is needed in regards to the employment of unlicensed optical workers and their dispensing status. This clarification is related to unlicensed optical workers who are not directly employed by the on-site optometrist.

Optician's Rule 420-4-.01, All Work Under Supervision of Licensed Dispensing Optician specially states:

Any trainee, apprentice, unlicensed optician, or any other person working for and under a licensed dispensing optician, optometrist, or physician shall not do optical dispensing unless he/she is working exclusively for and under the direct supervision of a licensed dispensing optician, optometrist, or physician and does not hold himself/herself out to the public generally as a dispensing optician. Direct supervision shall mean daily, onsite, close contact while optical dispensing is taking place within the retail establishment.

The Georgia Board of Optometry and the Georgia Board of Dispensing Opticians interpret this Rule to allow disciplinary action against any optometrist who performs duties or assists in unlicensed practice of opticianry under their licensure, unless the optical worker is an employee of the on-site optometrist. "Supervisory Contracts" do not supercede the laws and rules governing these practices. Georgia optometrists entering into these agreements place their license at risk for disciplinary action under the unprofessional conduct rule. Additionally, unlicensed optical workers may be subjected to civil penalties and felony criminal prosecution where provided by the law.