

No. 354.

AN ACT

To amend section five as amended, and sections six, eleven, and twelve of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (Pamphlet Laws, twenty-one), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith."

Section 1. Be it enacted, &c., That section five of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (Pamphlet Laws, twenty-one), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," which was amended by the act, approved the nineteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, two hundred sixty), entitled "An act to amend sections, two, three, four, five, as amended, seven, eight, nine, and ten of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (Pamphlet Laws, twenty-one), entitled 'An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith,'" is hereby further amended to read as follows:

Section 5. Every person desiring to commence the practice of optometry, or, if now in practice, to continue the practice thereof after January first, one thousand nine hundred and eighteen, except as herein

Optometry.

Section 5 of act of March 30, 1917 (P. L. 21), as amended by act of May 19, 1923 (P. L. 200), further amended.

Examination.

Eligibility for limited examination.

Scope of limited examination.

Certain other persons may take limited examination.

Proviso.

Eligibility for standard examination.

otherwise provided, shall take the examination provided in this act, and satisfy the other requirements hereof as here provided. Any person who has been engaged in the practice of optometry in this Commonwealth for two full years prior to the passage of this act, or for one year in this and for the year preceding it in another State, and is of good character, shall be entitled to take a limited examination covering the following only:

- (a) The limitation of the sphere of optometry.
- (b) The necessary scientific instruments used.
- (c) The form and power of lenses used.
- (d) A correct method of measuring presbyopia, hypermetropia, myopia, and astigmatism.
- (e) The writing of formulæ or prescriptions for the adaptation of lenses in aid of vision.

The board shall also permit the taking of limited examinations by, and the license, of any person who shall apply therefor before the first day of January, one thousand nine hundred and twenty-two, who, at the time of the passage of the act to which this is an amendment or the time when the limited examinations under said act were held, was unavoidably absent from this State on account of service in the army or navy of the United States, or who was at such time or times otherwise unavoidably absent from this State, or was physically handicapped and unable to take such examination: Provided, however, That any such person shall have engaged in the practice of optometry in this Commonwealth for two full years prior to the passage of the act to which this is an amendment, or for one year in this Commonwealth and one year in another State, and shall be of good character.

Any person who, at the time of the passage of the act to which this is an amendment, was unavoidably absent from this State on account of service in the army or navy of the United States, or who was otherwise unavoidably absent from this State, or was physically handicapped and unable to take the examination, and who was actually engaged in the practice of optometry, but who had engaged in such practice less than two years; and any person over the age of twenty-one years, of good moral character, who has had a preliminary education equivalent to two years of the course of high school, and, after the first day of January, one thousand nine hundred and twenty-five, has had a preliminary education equivalent to a four-year high school course, whose standard is approved by [the Bureau of Professional Education of] the Department of Public Instruction,—which preliminary education shall be ascertained by examination or by acceptable certificate as to credentials for work done in such approved institution,—and has graduated from

a school or college of optometry, approved by the *Department of Public Instruction as recommended by the State Board of Optometrical Examiners*, [Education, Examination, and Licensure, which maintains a course in optometry of not less than two years, and has afterwards studied optometry for at least one year in a licensed optometrist's office,] *on satisfactory completion of a course in optometry of not less than three years* shall be entitled to take a standard examination. Said standard examination shall consist of tests in practical, theoretical, and physiological optics, in theoretical and practical optometry, and in the anatomy and physiology of the eye, and in pathology as applied to optometry: Provided, That any person, not less than twenty-one years of age, who is actually engaged in the practice of optometry at the time of the passage of this act shall be entitled to take the standard examination merely upon proof to the board that he is of good moral character and is not addicted to the intemperate use of alcohol or narcotic drugs.

Scope of standard examination.

Proviso.

Section 2. That section six of said act is hereby amended to read as follows:

Section 6 of act amended.

Section 6. Every person desiring to be licensed, as in this act provided, shall file with the secretary of said board, upon appropriate blank to be furnished by said secretary, an application, verified by oath, setting forth the facts which entitle the applicant to examination and licensure under the provisions of this act. The said board shall hold at least two examinations each year. In case of failure at any standard examination, the applicant, after the expiration of six months and within two years, shall have the privilege of a second examination by the board, without the payment of an additional fee. In case of failure at any limited examination, the applicant shall have the privilege of continuing the practice of optometry, and of taking a second examination without the payment of an additional fee. But, in the event of his failure to pass the second examination on or before July first, one thousand nine hundred and eighteen, he shall thereafter cease to practice optometry in this Commonwealth. Every applicant who shall pass the standard examination or the limited examination, as the case may be, and who shall otherwise comply with the provisions of this act, shall receive from the said board, under its seal, a certificate of licensure entitling him to practice optometry in this Commonwealth; which certificate shall be duly registered in a record book to be properly kept by the secretary of the board for that purpose, which shall be open to public inspection; and a duly certified copy of said record shall be received as evidence in all courts of this Common-

Application for examination.

Second examination.

Certificate of licensure.

Certificate to be registered.

Certified copy to be evidence.

Display of certificate.

wealth in the trial of any case. Each person to whom a certificate shall be issued by said board shall keep said certificate displayed, in a conspicuous place, in the office or place of business wherein said person shall practice optometry, together with the photograph of said person attached to the lower right-hand corner of said certificate, and shall whenever required exhibit the said certificate to any member or agent of the said board. Peddling from door to door, or the establishment of temporary offices, or *the practice of optometry by a certificate holder outside of or away from his office or place of business*, is specifically forbidden, under penalty of revocation of certificate by the [said] board. *Certificate holders may, however, establish a branch office or branch offices, provided each such branch office be fully equipped with the instruments necessary to make an optometric examination and is in charge of a regularly licensed optometrist. Any certificate holder operating a branch office otherwise than as hereinbefore provided shall be guilty of a violation of this act and shall have his certificate revoked by the said board. [Whenever any person shall practice optometry outside, or away from his office or place of business, he shall deliver to each person fitted with glasses by him a certificate, signed by him, wherein he shall set forth the amount charged, his post-office address, and the number of his certificate.]* Each person to whom a certificate has been issued by said board shall, before practicing under the same, register said certificate in the office of the prothonotary in each county wherein he proposes to practice optometry, and shall pay therefor such fee as may be lawfully chargeable for such registry. The prothonotary in each county shall keep a certificate registration book, wherein he shall promptly register each certificate for which the fee is paid.

Peddling; temporary offices and practice away from office.

Branch offices.

Registry with prothonotary.

Section 11 of act amended.

Section 3. That section eleven of said act is hereby amended to read as follows:

Construction of certificate.

Section 11. Nothing in this act shall be construed as conferring on the holder of any certificate of licensure issued by said board the title of doctor, oculist, ophthalmologist, or any other word or abbreviation indicating that he is engaged in the practice of medicine or surgery, or the treatment or diagnosis of diseases of or injuries to the human eye, or the right to use drugs or medicines in any form for the treatment or examination of the human eye. *The title "Doctor" or the abbreviation "Dr." shall not be used before the name of any registered optometrist without the word "optometrist" following the name.*

Section 12 of act amended.

Section 4. That section twelve of said act is hereby amended to read as follows:

Section 12. The provisions of this act shall not apply [(a) To] *to* the physicians or surgeons practicing under authority of license issued, under the laws of this Commonwealth, for the practice of medicine or surgery. [or (b) to persons selling spectacles and eye-glasses, but who do not assume, directly or indirectly, to adopt them to the eye, nor neither practice or profess to practice optometry.]

Exceptions.

APPROVED—The 13th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 355.

AN ACT

Providing for the enumeration of registered persons in the Commonwealth, and the publication of a tabulation thereof by the Secretary of the Commonwealth; and imposing certain duties upon registrars, assessors, registry assessors, and county commissioners.

Section 1. Be it enacted, &c., That the registrars, registration commissioners, assessors, and registry assessors of the various cities, boroughs, and townships, charged with the registration and enrollment of voters, shall immediately after the last registration day before the general or municipal election in cities, and immediately after the last day fixed for the assessment of voters in boroughs and townships, forward to the commissioners of their respective counties, on forms to be furnished by the county commissioners, a summary of the total number of persons registered or assessed in their respective election districts, enumerating them by sex, color, political affiliation, and whether native or foreign born.

Enumeration of registered persons.

Summary to be forwarded to commissioners.

Section 2. The county commissioners shall immediately upon the receipt of the returns provided for in the foregoing section tabulate the totals thereof and forward a copy of said totals to the Secretary of the Commonwealth, who may tabulate the returns so received from the various counties and publish the same for the information of the public.

Commissioners to tabulate totals and forward to Secretary of the Commonwealth.

Section 3. The returns of the registration shall be made to the county commissioners in the following form:

Form for returns to county commissioners.

County of
Statistical report of registration of voters in
.....
(Specify township, city, or borough, with ward and election precinct)