21 NCAC 40 .0212 DUTY TO PROVIDE DIRECT SUPERVISION

(a) The failure of a licensed optician who owns or has a controlling interest in an optical place of business, or under whose name an optical place of business or branch thereof is registered, to provide direct supervision as set forth in G.S. 90-253 of an unlicensed person working at such business or branch and performing acts constituting the practice of opticianry shall constitute a violation of G.S. 90-249.1(a)(2).

(b) The failure of an optical place of business to schedule a licensed optician to provide direct supervision as set forth in G.S. 90-253 of an unlicensed person working at the business shall constitute a violation of G.S. 90-249.1(a)(2).

(c) Optometrists and ophthalmologists, and individuals employed by them, are exempt from the provision of direct supervision as set forth in G.S. 90-253, except for those employees registered as trainees with the Board when the optometry or ophthalmology practice is registered with the Board as a training establishment.

History Note: *Authority G.S. 90-239; 90-249.1(a)(2); 90-253;*
Eff. February 1, 1988;
Amended Eff. August 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 22, 2018;
Amended Eff. October 1, 2019.