21 NCAC 40 .0206  PROFESSIONAL RESPONSIBILITY; CONTINUING EDUCATION

(a) With the goal of keeping the vision health and welfare of the client uppermost at all times, promoting optimal public health for North Carolina's citizens, striving to continuously develop educational and technical proficiency, and informing himself or herself as to new developments within the profession, a licensed optician shall:

(1) maintain adequate equipment and instruments in his or her office at all times to assure professional service to the public;
(2) assist his or her clients in whatever manner possible in obtaining further care when, in his or her opinion, additional care is needed;
(3) maintain records;
(4) treat all information concerning his or her clients as privileged and not to be communicated to others except when authorized or required by a law or rule, or with express consent of the client;
(5) take annual courses of study in subjects related and essential to the practice of opticianry for the purpose of enhancing his or her scientific knowledge and professional skills, gaining the benefits of new techniques, and acquiring increased knowledge of laws and rules governing the practice of opticianry.

(b) Each North Carolina-licensed optician shall take a total of at least eight hours of continuing education each calendar year as follows:

(1) three hours of study on the practice of contact lens fitting; in lieu thereof, two hours of study on contact lens fitting and one hour of study may be on optical business management or consumer protection; and either:
   (A) When there have been no amendments or changes to the North Carolina opticianry laws or rules during the previous year, five hours of study on eyeglass fitting and dispensing; in lieu thereof, four hours of a study on eyeglass fitting and dispensing and one hour of study may be on laws and rules affecting North Carolina opticians, or ethics; or
   (B) When there has been an amendment or change to North Carolina opticianry laws or rules during the previous year, all licensed opticians practicing opticianry in the state shall take one hour of continuing education on the laws and rules relating to such amendment or change and four hours of study as described in Part (A) of this Subparagraph. The Board shall notify licensees when amendments or changes are made that would require each licensee's attendance at law/rule continuing education.

(2) Any licensed optician who is not practicing opticianry in the state shall annually obtain a total of at least eight hours of courses of study: three hours shall be essential to the practice of contact lens fitting, and five hours shall be essential to eyeglass fitting and dispensing. One of the eight hours may be on optical business management or consumer protection. All hours shall be currently-approved by the American Board of Opticianry or the National Contact Lens Examiners.

The hours of study set forth in this Rule may not be waived, except upon presentation of evidence of illness rendering the licensee's attendance impossible, or by presentation of active-duty orders for the licensee serving in a branch of the US armed forces.

(c) Courses of study must be approved by the Board, meeting the following criteria:

(1) Courses must be directly related to the practice of a dispensing optician as defined in G.S. 90-235 and G.S. 90-236. The education of opticians must be the primary and customary objective of the education provider.
(2) Each course must be made available to all NC licensed opticians.
(3) The following information shall be submitted to the Board office no later than 45 days prior to the date the course is to be presented. The following information is required for course submission and consideration:
   (A) Location and scheduled time for course presentation;
   (B) Title of course;
   (C) Instructor's name, address and qualifications. Instructors must be qualified by education and experience to provide instruction in the course subject;
   (D) Course description, including course length, instructional objectives, or course outline;
   (E) Indication of course's approval status with the American Board of Opticianry or National Contact Lens Examiners;
   (F) Name and address of provider agency, and primary contact information;
   (G) Description of the provider's attendance certification process; and
   (H) Agreement to provide electronic attendance roster to Board, and certified attendance documentation to attendees.

(4) Course content shall be presented in an objective manner that does not promote the sale or marketing of one company's products or services over another. Presentations on new optical technology shall not
include a specific brand/manufacturer of the technology in the title or content. Product-specific “infomercials” and sales pitches shall not be approved.

(5) Courses shall consist of a minimum 50 minutes’ education for each hour credit.

(6) Instructors may not present more than four consecutive hours of continuing education.

d) Each course shall be submitted for approval separately and completely each time credit is sought.

c) All approved courses shall allow complimentary on-site review by representatives from the Board.

(f) Course sponsors shall:

(1) Certify opticians’ attendance for the requisite period;

(2) Submit to the Board an electronic attendance roster, including names and credit hours received; and

(3) Certify attendance documentation by the provider agency.

(g) Opticians and course attendees shall:

(1) Retain documentation for a minimum 2-year period beginning with the next renewal year immediately following the date the courses were taken; and

(2) Present the documentation to Board as required during the license renewal process.