

21 NCAC 42B .0101 is amended as published in 37:09 NCR 656-752 as follows:

**21 NCAC 42B .0101      ~~GRADUATE OF APPROVED SCHOOLS OF OPTOMETRY~~**

(a) The Board may grant recognition and approval ~~to a school or college of optometry~~, deny or rescind recognition and approval, or make any recognition and approval granted by the Board conditional or probational, to any school accredited by the Accreditation Council on Optometric Education. The Board, in its discretion, may base such determination based on the Board's determination on its assessment of the quality of the educational programs and offerings of each the school or college of optometry. ~~Their optometric educational programs having been accredited by the Accreditation Council on Optometric Education and recommended to the Board by the Association of Regulatory Boards in Optometry as worthy of approval, the following accredited schools and colleges of optometry are recognized and approved in accordance with the provisions of this Rule:~~

- (1) ~~University of Alabama at Birmingham  
School of Optometry  
1716 University Boulevard  
Birmingham, AL 35294-0010~~
- (2) ~~University of California, Berkeley  
School of Optometry  
350 Minor Hall MC 2020  
Berkeley, CA 94720-2020~~
- (3) ~~Southern California College of Optometry  
2575 Yorba Linda Blvd.  
Fullerton, CA 92631~~
- (4) ~~Ferris State University  
Michigan College of Optometry  
1310 Cramer Circle  
Big Rapids, MI 49307-2738~~
- (5) ~~University of Houston  
College of Optometry  
505 J. Davis Armistead Bldg.  
Houston, TX 77004-2020~~
- (6) ~~Illinois College of Optometry  
3241 South Michigan Avenue  
Chicago, IL 60616~~
- (7) ~~Indiana University  
School of Optometry  
800 East Atwater  
Bloomington, IN 47405-3680~~

- ~~(8) New England College of Optometry  
424 Beacon Street  
Boston, MA 02115~~
- ~~(9) State University of New York  
State College of Optometry  
33 West 42nd Street  
New York, NY 10036-8003~~
- ~~(10) The Ohio State University  
College of Optometry  
338 West Tenth Avenue  
Columbus, OH 43210-1280~~
- ~~(11) Pacific University  
College of Optometry  
2043 College Way  
Forest Grove, OR 97116~~
- ~~(12) Pennsylvania College of Optometry  
at Salus University  
Elkins Park Campus  
8360 Old York Road  
Elkins Park, PA 19027~~
- ~~(13) Southern College of Optometry  
1245 Madison Avenue  
Memphis, TN 38104~~
- ~~(14) University of Waterloo  
School of Optometry  
200 University Avenue West  
Waterloo, ON N2L 3G1 CANADA~~
- ~~(15) Inter American University of Puerto Rico  
School of Optometry  
500 Carretera Dr John Will Harris  
Bayamon, PR 00957~~
- ~~(16) University of Missouri, St. Louis  
College of Optometry  
One University Blvd.  
331 Marillac Hall  
St. Louis, MO 63121-4400~~
- ~~(17) University of Montreal~~

Ecole d'Optometrie  
3744 Jean-Brillant, Suite 260-7  
Montreal, QC H3T 1P1 CANADA

~~(18) Northeastern State University  
Oklahoma College of Optometry  
1001 N. Grand Avenue  
Tahlequah, OK 74464~~

~~(19) Nova Southeastern University  
College of Optometry  
3200 S. University Drive  
Ft. Lauderdale, FL 33328~~

~~(20) Midwestern University  
Arizona College of Optometry  
19555 N 59th Ave  
Glendale, AZ 85308~~

~~(21) University of the Incarnate Word  
School of Optometry  
4301 Broadway, Box 373  
San Antonio, TX 78209-6397~~

~~(22) Western University of Health Sciences  
College of Optometry  
309 E Second St.  
Pomona, CA 91766-1854~~

(b) The Board may request a copy of the Accreditation Council of on Optometric Education's accreditation report on each school or college recognized and approved by the Board and for each school or college which has requested recognition and approval or for which the Board is considering recognition and approval.

*History Note: Authority G.S. 90-117.5; 90-118(a),(b);  
Eff. February 1, 1976;  
Readopted Eff. May 30, 1978;  
Amended Eff. April 1, 2011; April 1, 1993; June 1, 1989; September 30, 1981;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23,  
2015;  
Amended Eff. March 1, 2023*

21 NCAC 42B .0303 is amended as published in 37:09 NCR 656-752 as follows:

**21 NCAC 42B .0303      FAILURE TO MEET CONTINUE CONTINUING EDUCATION REQUIREMENT**

For a first failure to comply with 21 NCAC 42B .0302 ~~the optometrist is subject to disciplinary action by the Board pursuant to G.S. 90-121.2; provided, however, for a first offense the Board may require that the optometrist complete an additional five ~~three~~ hours and for the second offense six additional hours of attendance at approved continuing education programs. In the calendar year following such failure to comply, the optometrist must complete a sufficient number of hours at approved continuing education programs to (i) cure the prior year's shortfall; (ii) meet the current year's continuing education obligation, and (iii) meet any penalty imposed as a result of the prior year's shortfall. Any penalty imposed will require that the additional hours be fulfilled in addition to the required hours for the ensuing year. Any subsequent failure to comply with 21 NCAC 42B .0302 may subject the optometrist to disciplinary action under G.S. 90-121.2.~~

*History Note:      Authority G.S. 90-117.5; 90-123.1; 90-121.2  
Eff. February 1, 1976;  
Readopted Eff. May 30, 1978;  
Amended Eff. June 1, 1989; September 30, 1981;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23,  
2015;  
Amended Eff. March 1, 2023.*

21 NCAC 42D .0101 is amended as published in 37:09 NCR 656-752 as follows:

**21 NCAC 42D .0101      DEFINITIONS**

~~(a) Optometric assistants are those paraoptometric~~ Paraoptometric personnel, whether designated as optometric assistants, optometric technicians, or otherwise, are who qualify qualified by training and experience to perform duties of an administrative, technical, or clinical nature when directed and supervised by ~~relating to the assisting of a licensed practitioner in a dependent relationship.~~

~~(b) The optometric laboratory assistant is an individual with control of ophthalmic materials used in the optometric practice for lens and frame fabrication, selection and dispensing.~~

~~(c) Optometric technicians are those paraoptometric personnel who have satisfactorily completed programs in optometric technicianry approved by the Board. Technicians are trained in patient handling, ophthalmic laboratory preparation, administration of visual training, contact lens procedures and ophthalmic frame styling.~~

*History Note: Authority G.S. 90-115.1(6); 90-117.5;*

*Eff. February 1, 1976;*

*Readopted Eff. May 30, 1978;*

*Amended Eff. June 1, 1989; September 30, 1981;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015;*

*Amended Eff. March 1, 2023.*

21 NCAC 42D .0102 is amended as published in 37:09 NCR 656-752 as follows:

**21 NCAC 42D .0102      FUNCTION**

~~(a) Paraoptometric personnel, whether designated as optometric assistants, optometric technicians, or otherwise, perform~~ The optometric technician performs those administrative, technical, and clinical functions within the scope of their ~~his~~ training, as directed by and assigned to ~~him~~ by an optometrist, so long as those functions are at the specific direction and under the ~~personal~~ supervision of the licensee. Such functions include but are not limited to dispensary activities, testing, and optometric procedures.

~~(b) The optometric assistant performs as an assistant to an optometrist and carries out verbal or written instructions in assisting in patient care.~~

~~(c) The optometric laboratory assistant performs at the direction of an optometrist those functions directly related to the fabrication of lenses and frames, frame selection, and the dispensing thereof.~~

*History Note: Authority G.S. 90-115.1(6); 90-117.5;*

*Eff. February 1, 1976;*

*Readopted Eff. May 30, 1978;*

*Amended Eff. June 1, 1989; September 30, 1981;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015;*

*Amended Eff. March 1, 2023.*

21 NCAC 42M .0101 is amended as published in 37:09 NCR 656-752 as follows:

## **21 NCAC 42M .0101      DEFINITIONS**

As used in this Subchapter:

- (1) A preceptorship is a course of study in which students enrolled in a school approved pursuant to Rule 21 NCAC 42B .0101 receive part of their clinical training in a private practice setting outside the direct confines of the educational institution and whose training is continuing under the auspices and overall responsibility of the institution in which he is enrolled and under the supervision of a preceptor credentialed by the institution for which he is acting as a preceptor and whose credentials have been approved by the board.
- (2) A preceptor is an optometrist, duly licensed in the State of North Carolina, credentialed by the institution(s) for which he is serving as preceptor and who has been approved by the Board to act as such and under whose supervision a preceptee serves.
- (3) A preceptee is an individual who is still enrolled as a student in a school or college of optometry approved by the Board and whose clinical training is continuing under the auspices and control of the institution in which he is enrolled and under the ~~personal~~ supervision of the preceptor to which he has been assigned by his institution.
- (4) An institution is a school or college of optometry approved by the Board in accordance with Rule 21 NCAC 42B .0101.

*History Note: Authority G.S. 90-115.1(3); 90-117.5;  
Eff. April 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015;  
Amended Eff. March 1, 2023.*

21 NCAC 42M .0106 is amended as published in 37:09 NCR 656-752 as follows:

**21 NCAC 42M .0106      TERMINATION**

(a) Approval and registration of a preceptor shall continue in effect until terminated by the Board, by the institution from whom he received his credentials as a preceptor or until 30 days after written notification of termination is submitted by the preceptor to the Board. The approval and registration of a preceptor may be terminated, after due notice and hearing, for any violation of these Rules.

(b) The approval of a preceptee shall be terminated by the Board no later than 30 days following the date of graduation or when, after due notice and hearing, the Board shall find:

- (1) that the preceptee has held himself out or permitted another to represent him as a licensed optometrist;
- (2) that the preceptee has in fact performed otherwise than at the direction or under the ~~personal~~ supervision of an optometrist licensed by the Board or has been delegated and performed a task or tasks beyond his competence;
- (3) that the preceptee is a habitual user of intoxicants or drugs to such an extent that he is unable to perform as a preceptee to an optometrist;
- (4) that the preceptee has been convicted in any court, state or federal, of any felony or other criminal offenses involving moral turpitude;
- (5) that the preceptee has been adjudicated a mental incompetent or whose mental condition renders him unable to safely perform as a preceptee to an optometrist; or
- (6) the preceptee otherwise commits any act or omission which would subject him to discipline under G.S. 90-121.2 or under these Rules.

(c) Approval of a preceptorship shall continue in effect until terminated by Board or until 30 days after written notification of termination is submitted by the institution to the Board. A preceptorship may be terminated, after due notice and hearing, for any violation of the rules of this Chapter.

*History Note: Authority G. S. 90-115.1(3); 90-117.5; 90-121.2;*

*Eff. April 1, 1993;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015;*

*Amended Eff. March 1, 2023.*