

235 CMR: BOARD OF REGISTRATION
OF DISPENSING OPTICIANS

2.05: Board Duties and Procedures

- (1) Duties of the Board. The duties of the Board shall include, but shall not be limited to, the following:
- (a) To establish the conditions and qualifications required for licensure as a dispensing optician in the Commonwealth of Massachusetts, in accordance with M.G.L. c. 112, § 73E and 235 CMR 2.07 or 235 CMR 2.08;
 - (b) To determine the eligibility of applicants for licensure;
 - (c) To prescribe, and provide for the administration of, examinations for licensure of dispensing opticians;
 - (d) To evaluate the qualifications of out-of-state dispensing opticians and determine their eligibility for licensure as dispensing opticians in the Commonwealth of Massachusetts by means of reciprocity, in accordance with M.G.L. c. 112, § 73E;
 - (e) To issue license certificates to all individuals who have met all of the applicable requirements for licensure as a dispensing optician;
 - (f) To issue wall certificates to all individuals who are registered with the Board and with the Division of Apprenticeship and Training as apprentice opticians;
 - (g) To establish and maintain rosters of the names and addresses of all individuals who are licensed as dispensing opticians or registered as apprentice opticians;
 - (h) To establish and administer continuing education requirements for renewal of licenses;
 - (i) To adopt and promulgate such rules and regulations as are necessary and proper for the transaction of its business, the betterment of the practice of opticianry, and the promotion and protection of the public interest;
 - (j) To investigate all complaints which come to its attention regarding the practice of opticianry which indicate possible violation of any of the provisions of M.G.L. c. 112, §§ 73C through 73L or 235 CMR 2.00.
 - (k) To conduct adjudicatory proceedings in accordance with M.G.L. c. 30A and 801 CMR 1.00 *et seq.*;
 - (l) To take such disciplinary action as may be appropriate in the case of any violation of any of the provisions of M.G.L. c. 112, §§ 73C through 73L, or 235 CMR 2.00 by any individual who is licensed as a dispensing optician or registered as an apprentice optician with the Board;
 - (m) To refer to appropriate law enforcement authorities cases of persons practicing opticianry without a current license issued by the Board; and
 - (n) To perform all other functions and duties prescribed or authorized by M.G.L. c. 13, § 48 and M.G.L. c. 112, §§ 73C through 73L.
- (2) Board Meetings. The Board shall hold at least one meeting per calendar year, which shall be an annual meeting for the election of officers to be held on or before October 31st of each calendar year. The Board may hold additional meetings at the call of its chairman. In all cases, due notice of the date, time and place of such meetings shall be given to all members of the Board.
- (3) Quorum. Three members of the Board shall constitute a quorum for the transaction of business. A simple majority of those members present shall constitute a majority necessary for official action by the Board.
- (4) Officers. At the annual meeting prescribed by 235 CMR 2.05(2), the Board shall elect from among its members a chairman and a secretary. Such officers shall serve for a period of one year, but may be reelected for additional terms of one year. If an officer cannot complete his or her term, the vacancy shall be filled at the next meeting of the Board. The chairman shall preside at all meetings of the Board. If the chairman is absent for any reason, the secretary shall preside in his or her absence.