

CHAPTER 78.

[H. B. 274.]

OPTOMETRY.

AN ACT relating to the practice of optometry; providing for the regulation thereof; making certain acts unlawful, and amending section 7, chapter 144, Laws of 1919, as amended by section 1, chapter 134, Laws of 1935 (section 10152, Remington's Revised Statutes, also Pierce's Perpetual Code 766-11).

Be it enacted by the Legislature of the State of Washington:

Amend-
ments.

SECTION 1. Section 7, chapter 144, Laws of 1919, as amended by section 1, chapter 134, Laws of 1935 (section 10152, Remington's Revised Statutes, also Pierce's Perpetual Code 766-11), is amended to read as follows:

Section 7. It shall be unlawful for any person:

Practice of
optometry
regulated.

1. To sell or barter, or offer to sell or barter any certificate of registration issued by the Optometry Board; or

Defined.

2. To purchase or procure by barter any certificate of registration with the intent to use the same as evidence of the holder's qualification to practice optometry; or

3. To alter with fraudulent intent in any material regard such certificate of registration; or

4. To use or attempt to use any such certificate of registration which has been purchased, fraudulently issued, counterfeited or materially altered as a valid certificate of registration; or

5. To practice optometry under a false or assumed name, or as a representative or agent of any person, firm or corporation with which the accused has no connection: *Provided*, Nothing in this act nor in the optometry law shall make it unlawful for any lawfully licensed optometrist or association of lawfully licensed optometrists to practice optometry under the name of any lawfully licensed optometrist

who may transfer by inheritance or otherwise the right to use such name; or

6. To wilfully make any false statements in material regard in an application for an examination before the optometry board, or for a certificate of registration; or

7. To practice optometry in this state without having at the time of so doing a valid unrevoked certificate of registration, or other permit, issued by the Optometry Board of this state, and properly recorded as provided in this act; or

Practice prohibited without certificate.

8. To in any manner barter or give away as premiums either on his own account or as agent or representative for any other purpose, firm or corporation, any eye-glasses, spectacles, lenses or frames; or

9. To use drugs in the examination of eyes; or

10. To use advertising, whether printed, radio, display, or of any other nature, which is misleading or inaccurate in any material particular, nor shall any such person in any way misrepresent any goods or services (including but without limitation, its use, trade mark, grade, quality, size, origin, substance, character, nature, finish, material, content, or preparation) or credit terms, values, policies, services, or the nature or form of the business conducted; or

Advertising.

11. To advertise the "free examination of eyes," "free consultation," "consultation without obligation," "free advice," or any words or phrases of similar import which convey the impression to the public that eyes are examined free or of a character tending to deceive or mislead the public, or in the nature of "bait advertising;" or

Types of advertising prohibited.

12. To use an advertisement of a frame or mounting which is not truthful in describing the frame or mounting and all its component parts. Or advertise a frame or mounting at a price, unless it shall be depicted in the advertisement without lenses inserted, and in addition the advertisement must contain a statement immediately following, or adjacent

to the advertised price, that the price is for frame or mounting only, and does not include lenses, eye examination and professional services, which statement shall appear in type as large as that used for the price, or advertise lenses or complete glasses, viz.: frame or mounting with lenses included, at a price either alone or in conjunction with professional services; or

Advertising of charges prohibited.

13. To use advertising, whether printed, radio, display, or of any other nature, which inaccurately lays claim to a policy or continuing practice of generally underselling competitors; or

14. To use advertising, whether printed, radio, display or of any other nature which refers inaccurately in any material particular to any competitors or their goods, prices, values, credit terms, policies or services; or

15. To use advertising whether printed, radio, display, or of any other nature, which states any definite amount of money as "down payment" and any definite amount of money as a subsequent payment, be it daily, weekly, monthly, or at the end of any period of time.

Passed the House February 27, 1945.

Passed the Senate March 6, 1945.

Approved by the Governor March 15, 1945.