

1 the time a valid certificate of registration;

2 (i) To replace or duplicate ophthalmic lenses with or
3 without a prescription or to dispense ophthalmic lenses from
4 prescriptions, without having at the time a valid
5 certificate of registration as an optometrist; however, this
6 subsection does not prevent an optical mechanic from doing
7 the merely mechanical work on an ophthalmic lens which is
8 ordered on a prescription signed by a registered optometrist
9 and is dispensed only by the optometrist or a person
10 employed by the optometrist and who does so in the office of
11 and under the direct personal supervision of an optometrist;

12 (j) To take or make measurements for the purpose of
13 fitting or adapting ophthalmic lenses to the human eye,
14 without having at the time a valid certificate of
15 registration. A person who takes or makes measurements or
16 uses mechanical devices for this purpose or who in the sale
17 of spectacles, eyeglasses, or lenses uses, in the testing of
18 the eyes, lenses other than the lenses actually sold, is
19 practicing optometry. However, this section does not apply
20 to the prescriptions of qualified optometrists when sent to
21 a recognized optical laboratory.

22 (k) To advertise at a price, or stated terms of a
23 price, or as being free, the following: The examination or
24 treatment of the eyes, furnishing of optometrical services,
25 or furnishing a lens, lenses, contact lens, contact lenses,

1 contact lenses, glasses, frames, or fitting thereof.
2 However, this subdivision does not apply to advertising
3 goggles, sunglasses, colored glasses, or occupational
4 eye-protective devices, if they are not made with refractive
5 values and are not advertised in connection with the
6 practice of optometry or professional service.

7 (1) To adapt a lens to direct contiguous contact to the
8 human eyeball without having at the time a valid certificate
9 of registration as an optometrist.

10 (2) When the board has reasonable cause to believe that
11 a person is violating this section, or a rule issued under
12 this chapter, it may, in addition to other remedies provided
13 in this chapter, bring an action for injunctive relief in
14 district court in the county where the violation occurs to
15 enjoin the person from engaging in or continuing the
16 violation. The department may employ legal counsel to
17 prosecute these actions. In these actions, and on notice and
18 hearing, an order or judgment may be entered awarding a
19 temporary restraining order or final injunction as
20 considered proper by the judge of the district court in the
21 county where the violation occurred. This chapter does not
22 apply to physicians and surgeons authorized to practice
23 under the laws of this state ~~nor to a person employed in the~~
24 ~~office of and acting under the direct personal supervision~~
25 ~~of a physician or surgeon~~, nor to a person excepted from

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1 this chapter by section 66-1316."

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