

Arizona Board of Dispensing Opticians (Report Highlights)

August 2001

Arizona is 1 of 35 states that regulate opticians. Opticians assist consumers in selecting eyeglass frames and lenses, fit the eyeglasses to the consumer, ensure proper placement of lens features, and make lenses. The Board licenses about 630 opticians and 250 optical establishments that dispense eyeglasses and contact lenses. The Board also investigates and resolves complaints against licensees.

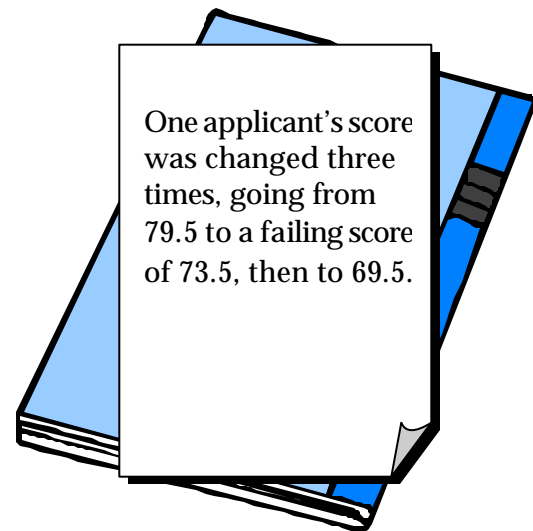
Our Conclusions: The Board typically resolves complaints and issues licenses in a timely manner. However, the Board can improve its practical examination and needs to keep its investigation and adjudication of complaints separated. In keeping with the criteria in the Sunset Law, auditors found that no significant harm would likely result if the Board was terminated. However, the Board does help the public resolve complaints and receive appropriate refunds or replacements for unsatisfactory eyewear.

Board Needs To Improve Licensing Exam Administration

Like most other states that license opticians, the Board requires licensure applicants to pass a practical examination. Applicants are graded on their practical skills using equipment for fitting and measuring contact lenses and eyeglasses.

Auditors found several problems with the March 2001 exam:

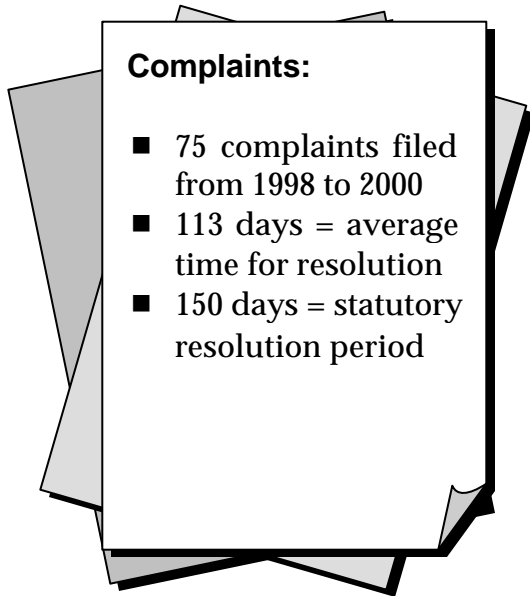
- Some scoring criteria were inaccurate and inconsistent.
- Several errors were made in scoring the examinations. Grades were changed one or more times in 17 of the 24 exams.
- There were more applicants than seats available at the various testing stations, which caused a backup and limited the proctors' ability to ensure that applicants finished tasks within the allotted time.



The Board should:

- ✓ Update and consistently follow examination scoring criteria; and
- ✓ Limit the number of applicants being examined at any one time to what the testing stations can accommodate.

Complaint Handling is Timely but Process Needs Improvement



Board members typically investigate complaints. On occasion, they have gone beyond investigating and recommended, on their own, that the licensee being investigated issue a refund or take some other action to resolve the case. They then recommended to the full Board that the complaint be dismissed.

This practice:

- Improperly combines the investigation and adjudication processes; and
- Prevents valid complaints from becoming part of the licensee’s public record.

The Board should:

- ✓ Ensure that Board members who are investigating complaints not mediate the complaints; and
- ✓ Impose appropriate discipline when statutory violations occur.

Board Does Not Regulate All Licensees

By law, people who work under the supervision of a licensed optician, physician, or optometrist do not need to be licensed by the Board. In some instances, though, those who work under licensed professionals are also Board licensees. However, the Board’s assistant attorney general representative has advised the Board that statute currently prevents the Board from taking action against any individual, licensed or unlicensed, who works under the supervision of another licensed professional.

The Legislature should consider:

- ✓ Clarifying in statute whether licensees are subject to the Board’s jurisdiction when supervised by other licensed professionals.

To Obtain More Information

- ➔ A copy of the full report can be obtained by calling (602) 553-0333 or by visiting our Web site at: www.auditorgen.state.az.us
- ➔ The contact person for this report is **Lisa Eddy**.