



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Application for Optical Selling Permit

Documentation Requirements:

An applicant for an optical selling permit shall submit the following documents directly to this office:

1. A complete, notarized application with fee in the amount of \$315.00 in the form of a certified bank check or money order payable to, Treasurer, State of Connecticut". The application must also indicate the owner's Federal Employer Identification Number (FEIN);
2. Verification of compliance with the workers' compensation insurance coverage requirements of Section 31-284, Connecticut General Statutes. Sufficient verification includes one of the following:
 - I. A certificate of self-insurance issued by a workers' compensation commissioner pursuant to Section 31-284, Connecticut General Statutes;
 - II. A certificate of compliance issued by the Commissioner of the Connecticut Department of Insurance pursuant to Section 31-286, Connecticut General Statutes; or
 - III. A certificate of insurance issued by any stock or mutual insurance company or mutual association authorized to write workers' compensation insurance in this state or its agent.

Inspection Information:

Please indicate on the application a date on which the optical selling establishment will be ready for inspection by Department of Public Health staff. Every effort will be made to accommodate your request. Upon receipt of a completed application, Department staff will contact the appropriate individual to schedule and inspection.

Inspection of an establishment seeking an optical selling permit does not authorize the establishment to begin operation. An establishment may not begin to provide optical services until authorization is received from this office. To inquire on the status of the shop permit, contact this office via email at oplcdph@ct.us.

Applications will not be processed nor will an inspection be scheduled until the workers' compensation insurance requirements have been received in this office.

Optical selling permits expire annually on September 1st. An optical selling permit may not be issued to establishments not under the direct supervision of a licensed optician.

A separate application and fee is required for each establishment at a separate physical location which is operated under the responsible licensed optician in charge.

The regulations pertaining to optical selling permits provide that such permit shall terminate upon disassociation of the licensed optician of record from an establishment holding an optical selling permit. A new optical selling permit application must be filed with the Department of Public Health. No inspection will be required if the only change is a change of the licensed optician of record.

This application is for (please check one):

New Shop Change of Location Change in Optician of Record Reinstatement. Shop License No.: _____

Optical Shop Information:

Name of Establishment (d/b/a): _____

Address: _____

City/State/Zip _____

Phone Number: (_____) _____

Ownership Information:

Legal form of Organization: Individual/Sole Proprietor Limited Liability Corporation,
 Limited Partnership Profit Corporation
 Other: _____

Name of Owner: _____ CT Optician License No.: _____

Address: _____

City/State/Zip _____

Federal Employer Identification Number: _____ - _____

Phone Number: (_____) _____ Email: _____

Signature of Owner: _____

Partner or Corporate Officer _____ CT Optician License No.: _____
Print Name

Partner or Corporate Officer _____
Signature

Optician of Record Information:

Licensed Optician of Record: _____ CT Optician License No.: _____
Print Name

Signature of Optician of Record: _____ CT Optician License No.: _____
Signature

Other Optician in charge of Optical Dept. (please print) _____ CT Optician License No.: _____
Print Name

Other Optician in charge of Optical Dept. Signature: _____

Optical services performed (please check all that apply):

- Producing or reproducing ophthalmic lenses.
- Mounting ophthalmic lenses to supporting material.
- Fitting (adjust) optical glasses to the eyes.
- Repairing optical frames and mountings and supplying repair parts.

CONTACT LENSES: Check equipment on premises

- | | |
|---|--|
| <input type="checkbox"/> Keratometer | <input type="checkbox"/> Thickness Gauge |
| <input type="checkbox"/> Slit Lamp | <input type="checkbox"/> Reticule Measuring Device |
| <input type="checkbox"/> Burton Magnifier | <input type="checkbox"/> Radiuscope |
| <input type="checkbox"/> Black Light | <input type="checkbox"/> Other (Specify) _____ |

Staff:

Please list below the names, other than the licensed optician designated as owner or manager of each licensed optician or apprentice, together with their respective certificate numbers, employed by this establishment:

Name	Type of License	License or Certificate Number

Requested date for inspection: _____

Notarization:

State of _____ County of _____

On this _____ day of _____ 20____, _____
Owner's Name.

personally appeared before me, who being duly sworn says that she/he is the person referred to in the foregoing application and that the statements, made herein are true and correct in every respect, to the best of his/her knowledge and belief.

 Signature of Applicant

Sworn to before me this _____ day of _____ 20_____.

 Signature of Notary Public My Commission expires _____.

Please return this application along with a certified bank check or money order in the amount of \$315.00 to:

Connecticut Department of Public Health
 Remittance Unit
 410 Capitol Ave., MS # 12 MQA
 P.O. Box 340308
 Hartford, CT 06134

Provisions of Connecticut General Statutes Optical Shops

Section 20-150. Where optical goods may be sold. (a) No optical glasses or kindred products or other instruments to aid vision that are produced or reproduced to personalized given formulas, or plano cosmetic contact lenses shall be sold at retail except under the supervision of a licensed optician and in a registered optical establishment, office or store. An optical establishment, office or store is defined as meaning one the owner of which has had issued to him an optical license selling permit.

(b) Nothing in subsection (a) of this section shall be construed to limit the ability of a physician, licensed under chapter 370, who is trained and specializes in diseases of the eye or an optometrist, licensed under chapter 380, to dispense contact lenses.

(c) A violation of the provisions of subsection (a) of this section constitutes an unfair trade practice under subsection (a) of section 42-110b.

Section 20-151. Optical selling permits. Any licensed optician and any optical department in any establishment, office or store may apply to said department for a registration certificate to sell at retail optical glasses and instruments from given formulas and to make and dispense reproductions of the same, in a shop, store, optical establishment or office owned and managed by a licensed optician as defined in section 20-145 or where the optical department thereof is under the supervision of such a licensed optician, and said registration shall be designated as an optical selling permit. Said department shall grant such permits for a period not exceeding one year, upon the payment of a fee of three hundred fifteen dollars, and upon satisfactory evidence to said department that such optical establishment, office or store is being conducted in accordance with the regulations adopted under this chapter. Such permit shall be conspicuously posted within such optical establishment, office or store. All permits issued under the provisions of this chapter shall expire on September first in each year.

Section 20-153. Optical permit. Product; standards of quality. The department may grant annually, upon the filing of an application as required by it, an optical permit to any optical establishment, office, department or store conducted under the personal and direct supervision of a licensed optician, for permission to sell, dispense or supply to the ultimate wearer optical aids to vision, instruments, appliances, eyeglasses, spectacles and other kindred products. Holders of such an optical permit shall be permitted to use the term "optician" or any of its synonyms. No optical permit shall be issued to any person, firm or corporation owning, managing or conducting any optical establishment, department, store, office or place of business and employing any person lawfully licensed to prescribe optical glasses from given prescription formulas, unless such person is also licensed as a licensed optician, except as provided in section 20-162. The quality of optical lenses, spectacles, eyeglasses, optical appliances or instruments and other aids to vision and kindred products of optical glasses shall meet whichever of the following standards may be applicable: (1) American National Standards Institute Z.80, as amended, "Requirements for First Quality Prescription Ophthalmic Lenses" which standard shall reflect current standards for first-quality prescription ophthalmic lenses in edged or assembled form, white, colorless or tinted, single vision or multifocal, plastic or laminated, impact-resistance-treated or untreated glass lenses, or any other ophthalmic lenses, prescription or otherwise, as may be designed and covered under such adopted standards; or (2) American National Standards Institute Z.87, as amended, "Practice for Occupational and Educational Eye and Face Protection"; or, (3) such other standard as may be established in regulations adopted pursuant to section 20-141. The commissioner of public health, with advice and assistance from the board shall make reasonable regulations so that the public may not be misled in the purchase or acquisition of the same.

Section 20-153a. Lens and frame requirements. (a) No person shall sell, distribute or deliver any eyeglasses or sunglasses unless they are fitted with impact resistant lenses that fully meet the definitions, specifications, test procedures and tolerances for impact resistance and any exceptions provided for in the statement of policy of the federal Food and Drug Administration and whichever of the following standards may be applicable: (1) American National Standards Institute Z.80.1, as amended, "requirements for first quality prescription ophthalmic lenses", or such other standard as may be established in regulations adopted pursuant to section 20-141, which standard shall apply to first-quality prescription ophthalmic lenses in edged or assembled form, white, colorless or tinted, single-vision or multifocal, plastic, laminated, impact-resistance-treated or untreated glass lenses, or (2) American National Standards Institute Z.87.1, as amended, "practice for occupational and educational eye and face protection", or such other standard as may be established in regulations adopted pursuant to section 20-141, which standard shall apply to all occupational and educational operations and processes, excluding those relating to x-rays, gamma rays, high-energy particulate radiations, lasers, or masers; except in those cases where in his professional judgment the physician or optometrist finds that such lenses will not fulfill the visual requirements of the particular patient and directs in writing the use of other lenses.

(b) No person shall fabricate, sell, offer to sell or have in his possession with intent to sell or offer to sell eyeglasses or sunglasses having frames manufactured from cellulose nitrate or materials having flammable characteristics approximately those of cellulose nitrate as found and established in the American National Standards Institute standards, as amended, or such other standard as may be established in regulations adopted pursuant to section 20-141.

(c) Any person who violates this section shall be fined not more than one hundred dollars.

Section 20-154. Regulations concerning licenses and permits. Disciplinary action; grounds. The commissioner of public health, with advice and assistance from said board, may make regulations concerning the licensing of any optician, the granting of any permit to any optical department or the certification of any licensed optician, and the suspension or revocation of any such license or permit, or with reference to the conduct of any such licensee or permittee and the manner in which any such licensed optical department is conducted. Any license to practice as a licensed optician or to conduct any optical department may be suspended or revoked or reissued by said board. The certificate of registration, permit or license of any optician or of any optical permittee may be revoked, suspended or annulled or any action taken under section 19a-17 upon decision after notice and hearing by the board for any of the following reasons: Fraudulent, dishonest, illegal or incompetent or negligent conduct of his business as such licensee or permittee; aiding or abetting any unlicensed person whose license has been suspended or revoked, or any optical permittee whose permit has been suspended or revoked in the conduct of an optician's establishment, office or store; violation of any provision of this chapter or any regulation adopted hereunder; presentation to the department of any diploma, license or certificate, irregularly or fraudulently obtained or from any unrecognized or irregular college or state commission, or obtained by the practice of any fraud or deception; physical or mental illness, emotional disorder or loss of motor skill, including but not limited to, deterioration through the aging process; abuse or excessive use of drugs, including alcohol, narcotics or chemicals. The commissioner of public health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17. The violation of any of the provisions of this chapter by any unlicensed employee in the employ of any of its licensees or permittees, with the knowledge of his employer, shall be deemed to be a violation thereof by his employer; and continued violation thereof by such an unlicensed employee shall be deemed to be, prima facie, with the knowledge of such employer.

Section 20-156. Appeal. Any licensee or permittee aggrieved by the action of the board under section 19a-17 may appeal therefrom as provided in section 4-183, except such appeal shall be made returnable to the judicial district of Hartford at Hartford.

Section 20-157. License and permit to be conspicuously displayed. Each person practicing as a licensed optician and each holder of an optical permit shall, at all times, conspicuously display his license or permit in the place in which he practices under such license or permit.

Section 20-158. Restricted use of license or permit. Each licensee or permittee licensed under the provisions of this chapter who rents, loans or allows the use of his permit or license to an unlicensed person for unlawful use shall be fined one hundred dollars and shall forfeit his license as such licensee or permittee.

Section 20-159. Apprentices to register; certification by employer. Each person entering into employment in an optical office, store or establishment for the purpose of obtaining practical experience and skill required under the provisions of this chapter shall register as an apprentice with the department and the computation of any period of apprenticeship shall commence at the date of such registration. Such application for registration shall be certified to, under oath, by the employer and by such applicant, and the department may issue to such applicant an apprentice's certificate. A renewal of each certification of such apprenticeship shall be filed with the department annually. A fee of fifty dollars shall accompany the original application and any renewals of same. Any person who served part of his apprenticeship in any other state or country not requiring such registration shall be obliged to give proof of such service satisfactory to the department.

Section 20-160. Deceptive ownership or management of optical establishments. Misuse of designations. Any person, firm or corporation, owning, managing or conducting any store, shop or place of business, not holding an optical permit or an optician's license, or not having in his or its employ a licensed optician for the supervision of such store, office, place of business or optical establishment, or including in any advertisement, whether in a newspaper, book, magazine or other printed matter, or by radio, the term "optician", "licensed optician", "optical establishment", "optical office", "opticians" or any combination of such terms, within or without such store, in such manner as to mislead the public to the belief that the same is a legally established optical place of business, licensed as such, or owned, managed or conducted by a person holding an optician's license, or that such person, firm or corporation is the holder of an optical permit, when, in fact, it is not, shall be fined not more than two hundred dollars or imprisoned not more than six months or both.

Section 20-161. Penalty. Any person who violates any provision of this chapter, for the violation of which no other penalty has been provided, shall be fined not more than five hundred dollars or imprisoned not more than five years or both. For purposes of this section each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Section 20-162. Exceptions for certified optometrists and physicians and surgeons. The provisions of this chapter shall not be construed to apply to certified optometrists licensed to practice under the provisions of chapter 380 nor to deny to physicians or surgeons particularly trained and specializing in diseases of the eye and licensed under the provisions of chapter 370 from the same right to fit, apply and dispense contact lenses or other ophthalmic materials to their patients in the course of their practice as is accorded licensed optometrists. The provisions of this section shall not be construed to permit such physicians or surgeons to engage in the

business of either grinding lenses or filling prescriptions for optical glasses, lenses or ophthalmic materials unless they are licensed or certified under the provisions of this chapter or chapter 380.

Regulations of Connecticut State Agencies Optical Selling Permits

Section 20-141-4. Equipment for opticians. In order to protect the public health and safety, each applicant being issued an optical license shall have in this place of business and at his disposal the following equipment in order to complete the requirements for such license: (1) A complete set of neutralizing lenses or mechanical instrument for the measurement of focus power, in which case such instrument should bear a maximum tolerance of accuracy of .06; (2) lens-centering device; (3) lens measure; (4) thickness caliper; (5) equipment for accurately measuring pupillary distance.

Section 20-141-18. Disassociation of licensed optician from establishment. Immediately upon disassociation or severance of the recorded licensed optician in charge from any establishment for which an optical license permit has been granted, the optical license permit is terminated. A new optical license permit shall be applied for.

Section 20-141-19. Establishment, office, department, store, shop or laboratory. Each individual retail or service unit located at a recorded address is a separate establishment requiring a separate permit; and this is true although such a store or unit is part of an interstate or intrastate chain.

Section 20-141-20. Licensed optician responsible for all establishments for which he is granted an optical license permit. Every licensed optician is required to have an optical license permit for the declared establishment, location or premises where he proposes to act as such licensed optician. A licensed optician is responsible for any optical department, firm or establishment of which he is in charge, being deemed to be in charge of the same only when he is the owner or manager or equal in authority with another similarly licensed optician, and from which he receives his complete or major means or livelihood and to which he gives the major part of his time. Such an optical license permit shall be issued for more than one such optical establishment or location if such licensed optician assumes supervision of other locations or establishments; but in all instances such permits shall include the name of the responsible licensed optician in charge and under whose supervision such establishment or location is being operated, and shall be subject to the provision that such licensed optician transfer such individual license to the location or establishment at which he is functioning and that he is personally responsible for all acts or omissions (by himself or by others under such location) pertaining to the opticians' law and its regulations, under which such establishment or location holds itself open as an optical establishment or department. Both the license of the licensed optician and the optical license permit shall at all times be conspicuously displayed in the place in which such licensed optician practices as an optician.