

may waive the requirement of hearing contained in this subsection but only in writing. The respondent shall be entitled to counsel and to call witnesses in his defense.

"(c) Upon written application and after hearing, pursuant to notice, the Commissioners may reinstate a license which has been previously revoked, except that no application for reinstatement of a license shall be accepted for consideration prior to the expiration of at least one year following the date on which the applicant's license was revoked.

"Sec. 8. (a) It shall be unlawful for any person—

"(1) to engage in the practice of optometry in the District of Columbia without a valid license issued under this Act so to do;

"(2) to practice or offer to practice optometry under the name of any company, association, corporation, trade name or business name, or any other name, except his own proper name as appears on the license issued to him under this Act by the Commissioners;

"(3) (A) to sell or fraudulently obtain or furnish any diploma, license, or record required by this Act or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining, or furnishing thereof;

"(B) to practice optometry as an optometrist under cover of any diploma, license, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fraudulent representation;

"(C) to use in connection with his name any designation tending to imply that he is an optometrist licensed to practice under this Act if he is not licensed to practice under this Act; or

"(D) to practice optometry as an optometrist during any time his license issued under this Act shall be suspended or revoked.

"(4) with the exception of non-prescription sunglasses or non-prescription protective eyewear, to sell or offer to sell to the public eyeglasses, spectacles, or lenses, or to fit or duplicate lenses, without a written prescription from a licensed physician or optometrist;

"(5) with the exception of non-prescription sunglasses or non-prescription protective eyewear, to advertise or cause to be advertised to the public any optometric or ophthalmic material of any character which includes or contains any price cost or any reference thereto, whether related to any eye examination or to the cost or price of lenses, glasses, mountings, or ophthalmic articles or devices;

"(6) to solicit patients or cause patients to be solicited by means of free eye examinations or other gratuitous services, bonuses, premiums, discounts, credit, or any other inducements for the purpose of obtaining patronage;

"(7) if he writes a prescription for another, to receive any part of the sum paid or other valuable considerations paid by such person to a third person for filling such prescription; or for such third person to pay to the person writing a prescription any part of the sum paid or other valuable considerations received by such third person for filling of such prescription;

"(8) other than an optometrist to utilize the services of an optometrist on a salary, commission, lease, or any other basis, or to engage or undertake to engage, directly or indirectly, in any manner whatsoever, in the practice of optometry;

"(9) to display any sign offering ophthalmic materials for sale in violation of any regulation of the Commissioners issued under authority of section 10 of this Act;

"(10) to practice optometry without conspicuously displaying his license and his current annual renewal registration where he practices.

"(b) A violation of any of the provisions of this section shall constitute a misdemeanor and shall be punished for the first offense by a fine of not more than \$500, and upon a second or subsequent conviction thereof, shall be punished by a fine of not more than \$1,000, or by imprisonment in the District jail for not more than one year, or by both such fine and imprisonment.

"Sec. 9. (a) This Act shall not apply—

"(1) to any bona fide student of optometry in the clinic rooms of a school of optometry approved by the Commissioners;