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1 solo duty and responsibility to his immediate patient; that the
2 optometrist in ministering to the visual needs of his patient be
3 unfettered by any obligations to a lay person or corporation who
4 or which is not or cannot be educated, trained, examined, licensed,
5 regulated as an optometrist and that the practice of optometry by
6 unlicensed persons or corporations employing optometrists, creates
7 a dual responsibility for the optometrist with respect to his immedi-
8 ate patient and to his lay employer which is inimical to the public
9 health and welfare.

10 § 2. Section seventy-one hundred nine of the education law, is
11 hereby amended to read as follows:

12 § 7109. ~~¶Sales of eyeglasses, spectacles and lenses at retail¶~~

13 *Regulation of practice of optometry.* 1. It shall be unlawful ~~¶for~~
14 any person, firm or corporation to sell, at retail, as merchandise,
15 in any store or established place of business in the state, any
16 spectacles, eyeglasses, or lenses for the correction of vision, unless
17 a duly licensed physician or duly qualified optometrist, licensed
18 under part one of this article, be in charge of and in personal
19 attendance at the booth, counter or place, where such articles are
20 sold in such store or established place of business. ~~¶to sell, dispense,~~
21 *furnish or supply any spectacles, eyeglasses or lenses to the public,*
22 *for the aid or correction of vision, except upon the written prescrip-*
23 *tions of a duly licensed physician or a duly licensed optometrist.*
24 This shall not prohibit, however, a duly certified ophthalmic dis-
25 penser from selling, providing, furnishing or adapting spectacles,
26 eyeglasses or lenses only on prescription of ~~¶physicians¶~~ a duly