

justs such lenses, spectacles eyeglasses, contact lenses, and/or appurtenances thereto to the human face for the aid or correction of visual or ocular anomalies of the human eyes. The services and appliances relating to ophthalmic dispensing shall be furnished, dispensed, or supplied to the intended wearer or user thereof only upon prescription of a physician or optometrist, but duplications, replacements, reproductions, or repetitions may be done without prescriptions. In which event, any such act shall be construed to be ophthalmic dispensing the same as if performed on the basis of a written original prescription.

"Person": any natural person, firm, partnership, corporation, or association.

12-2604. *Unlawful acts.*

(a) On and after the effective date of these Regulations, the following shall constitute unlawful acts:

(1) For any person practicing ophthalmic dispensing in the District to attempt to determine the refractive powers of the human eyes, or in any manner attempt to diagnose, prescribe for, or treat diseases or ailments of the human eyes.

(2) For any person practicing ophthalmic dispensing in the District to make or maintain any display of equipment that would tend to mislead the public into the belief that eye examinations are being made on the premises in connection with ophthalmic dispensing.

(b) On and after the ninetieth day following the effective date of these Regulations, the following shall constitute unlawful acts:

(1) Except as otherwise provided in these Regulations, for any person to practice ophthalmic dispensing in the District unless duly licensed as a Dispensing Optician.

(2) Except as otherwise provided in these Regulations, for any person engaged in the business of ophthalmic dispensing in the District to permit anyone in his employ to practice ophthalmic dispensing unless such employee is duly licensed as a Dispensing Optician.

(3) Except as otherwise provided in these Regulations, for any person to engage in contact lens dispensing unless duly licensed as a Dispensing Optician—Class II; or to permit anyone in his employ to practice, or assist in the practice of contact lens dispensing unless under the personal supervision of the person duly licensed as a Dispensing Optician—Class II.

12-2605. *Exemptions.*

(a) Nothing in these Regulations shall apply to duly licensed physicians or optometrists, or to an employee of any such physician or optometrist when working in his office and under his personal supervision.

(b) Nothing in these Regulations shall apply to a trainee, apprentice, unlicensed optician, or other person when working in the same office and under the personal supervision of a duly licensed Dispensing Optician.

(c) As used in subsections (a) and (b) above, "personal supervision" shall be construed to mean that a licensed physician, optometrist, or dispensing optician shall be available to assist at all times when any such employee, trainee, apprentice, unlicensed optician, or other person is engaged in ophthalmic dispensing.

(d) Nothing contained in these Regulations shall be construed as preventing the sale of spectacles for reading purposes, toy glasses, goggles, or sun glasses consisting of plano white, plano colored or plano tinted glasses, or ready-made nonprescription glasses, nor shall anything in these Regulations be construed as affecting in any way the manufacture and sale of plastic or glass artificial eyes or as affecting any person engaged in said manufacture or sale of plastic or glass artificial eyes.

(e) Nothing in these Regulations shall apply to any person employed by the United States Government or any Agency thereof, while such person is acting in the discharge of his official duties.

12-2606. *Grandfather clause.*

(a) Any person of good moral character who is at least nineteen years of age and has been engaged in the full-time practice of ophthalmic dispensing in the District for at least two years prior to the effective date of these Regulations shall be licensed by the Commission, without examination, as a Dispensing Optician—Class I upon making proper application and payment of the required fee or fees within one year following the effective date of these Regulations.