

12-2647. *Transcript of proceedings.* In all hearings conducted by the Committee, a complete record shall be made of all evidence presented during the course of a hearing.

12-2648. *Manner and time of rendering Committee decision.* The members of the Committee who conduct the hearing shall submit their decision to the Commission, in writing, as soon as practicable, but not later than sixty days after the date the hearing is completed.

12-2649. *Content of Committee decision.* The decision of the Committee shall contain:

- (a) findings of fact made by the Committee;
- (b) application by the Committee of these Regulations to the facts as found by the Committee; and
- (c) the decision of the Committee based upon (a) and (b) of this section.

12-2650. *Notification by Commission of final determination.* Within thirty days following receipt of a Committee decision rendered after hearing, the Commission shall notify the applicant or licensee concerned, in writing, of the final determination of the matter at issue. In any such matter, the Commission shall not make a final determination which is inconsistent with the Committee decision in such matter. The notification of final determination shall contain the Order of the Commission based upon the decision of the Committee and a statement informing the applicant or licensee involved, of his right to appeal to the court and the time within such an appeal may be sought. A copy of the Committee decision shall be attached to the notification of final determination.

12-2651. *Service of written notice.* The written notification of final determination shall be served upon the applicant or licensee involved, or his attorney of record, either personally or by certified mail. If sent by certified mail, it shall be deemed to have been served on the date contained on the return receipt.

12-2652. *Reopening proceedings.* Where, because of accident, sickness, or other good cause, a person fails to receive a hearing or fails to appear for a hearing which he has requested, the person may, within thirty days from the date born upon the Commission's notification of final determination, apply to the Commission to reopen the proceedings; and the Commission, upon finding such cause sufficient, shall authorize the Committee to immediately fix a time and place for hearing and give the person, the Corporation Counsel, the Director, and the Commission notice thereof, as required by these Regulations. The Commission may also reopen a proceeding for any other cause sufficient to it, provided no appeal is pending before a court or has been decided by a court.

12-2653. *Reconsideration or reinstatement.* Upon the application, after six months, of any person who has been denied a license or who has had a license revoked by the Commission, the Commission may, upon showing of cause satisfactory to it, reinstate the license or issue a new one.

CONTACT LENS REGULATIONS

12-2654. *Dispensing Optician—Class II to be in active charge.* Every place of business in the District wherein the practice of ophthalmic dispensing includes the filling of contact lens prescriptions must have a Dispensing Optician—Class II in full charge of the filling of contact lens prescriptions, and on duty at all times when such ophthalmic dispensing is practiced.

12-2655. *Work to be performed in presence of Dispensing Optician.* No Dispensing Optician—Class II who is in charge of the filling of contact lens prescriptions in the District shall permit any trainee, apprentice, unlicensed optician, or other person, to perform any ophthalmic dispensing service required in the filling of contact lens prescriptions which involves physical contact with the intended wearer, unless under the constant direct visual supervision of a Dispensing Optician—Class II.

12-2656. *Prohibition against contact lense dispensing without prescription.*

(a) It shall be a violation of these Regulations for any Dispensing Optician—Class II to dispense, attempt to dispense, or test any contact lens or lenses in the District to or on the intended wearer thereof unless such intended wearer has a recent prescription for a contact lens or lenses from a duly licensed ophthalmologist and/or physician.

(b) Before or upon completion of the filling of a contact lens prescription, including the fitting, adapting, and instruction in wearing, proper handling and care, such Dispensing Optician shall contact and receive from such ophthalmologist and/or physician full instructions as to delivery of such lens or lenses. Unless such Dispensing Optician has been otherwise so instructed or directed