

58-16a-201 Creation of board -- Board duties and functions.

- (1) There is created an Optometrist Licensing Board consisting of five optometrists and two members from the general public who do not provide eye care services.
- (2) The board shall be appointed and serve in accordance with Section 58-1-201.
- (3) The board's duties and responsibilities shall be in accordance with Sections 58-1-202 and 58-1-203, and as provided under this Subsection (3).
- (4) The board shall designate one of its members on a permanent or rotating basis to:
 - (a) assist the division in reviewing complaints concerning the unlawful or unprofessional conduct of a licensee; and
 - (b) advise the division in its investigation of these complaints.
- (5) A board member who has, under Subsection (4), reviewed a complaint or advised in its investigation may be disqualified from participating with the board when the board serves as a presiding officer in an adjudicative proceeding concerning the complaint. The board member may be disqualified:
 - (a) on his own motion, due to actual or perceived bias or lack of objectivity; or
 - (b) upon challenge for cause raised on the record by any party to the adjudicative proceeding.

Renumbered and Amended by Chapter 13, 1997 General Session