

320.372 Injunction to restrain practice of optometry -- Petition by board.

- (1) The board may institute, in its own name, proceedings to temporarily or permanently restrain and enjoin the practice of optometry by the following:
 - (a) An individual who is not licensed to practice optometry pursuant to this chapter, or who is involved in conduct not specifically exempted from the requirements of this chapter by KRS 320.220; or
 - (b) An individual who was previously licensed by the board to practice optometry but is currently practicing optometry in violation of this chapter, regardless of whether the respondent has been convicted of violating the penal provisions thereof.
- (2) A petition for injunction filed under subsection (1) of this section may be filed in Franklin Circuit Court, and the board shall not be required to pay any costs or filing fees or furnish any bond in connection therewith.
 - (a) In the petition, it shall be sufficient to charge that the respondent on a day certain in a named county engaged in the practice of optometry in violation of this chapter. No showing of damage or injury shall be required.
 - (b) Issuance of an injunction shall enjoin any act specified under this chapter and shall remain in place as long as necessary to prevent the unlawful practice of optometry.
 - (c) Issuance of an injunction shall not relieve the respondent from being subject to any other proceeding under law provided by this chapter or otherwise.
 - (d) Violation of an injunction or restraining order shall be punished as a contempt without the intervention of a jury.

Effective: June 24, 2003

History: Created 2003 Ky. Acts ch. 25, sec. 2, effective June 24, 2003.