

**HB0039H3001**

1 Page 2-line 4 After "(c)" delete "and" and insert ","; after  
2 "33-23-114" insert ", 33-23-115(a) and (b) and  
3 35-17-106(a)(iii)".  
4

5 Page 14-after line 7 Insert:  
6

7 **"33-23-115. Penalty; injunction; civil penalty; jury trial.**  
8

9 (a) Any person who violates any provision of ~~W.S. 33-23-101~~  
10 ~~through 33-23-117~~ this act is guilty of a misdemeanor and upon  
11 conviction shall be fined not more than seven hundred fifty dollars  
12 (\$750.00) or imprisoned not more than six (6) months in the county  
13 jail, or both.  
14

15 (b) Any person aggrieved by a violation of ~~W.S. 33-23-101~~  
16 ~~through 33-23-117~~ this act, the Wyoming state board of examiners  
17 of optometry, the attorney general or the district or county  
18 attorney may institute suit in the county in which a violation of  
19 ~~W.S. 33-23-101 through 33-23-117~~ this act occurred to require  
20 enforcement by injunctive procedures and to recover a civil penalty  
21 not to exceed ten thousand dollars (\$10,000.00) per violation,  
22 plus costs.  
23

24 **35-17-106. Election to be covered by federal immunity.**  
25

26 (a) The state of Wyoming elects to be immediately covered by  
27 the immunity granted by the Health Care Quality Improvement Act of  
28 1986, P.L. 99-660, Title IV adopted by Congress in 1986, to the  
29 extent authorized, as of the effective date of this section for  
30 all health care professional review bodies as defined in the act,  
31 for the applicable division of the department of health in its  
32 duties under W.S. 33-36-101 through 33-36-115 related to emergency  
33 medical services and for:  
34

35 (iii) The state board of examiners in optometry, W.S.  
36 33-23-101 through ~~33-23-117~~ 33-23-116;". ZWONITZER