

1983 WL 181976 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 23, 1983

\*1 Mr. Jack S. Folline  
Chairman  
Board of Examiners in Opticianry  
Post Office Box 5721  
Columbia, South Carolina 29205

Dear Mr. Folline:

You have asked whether an optometrist can advertise his professional services (examinations) at a reduced price for a limited time. Under [Section 40-37-190, CODE OF LAWS OF SOUTH CAROLINA](#), (1976 as amended, Act No. 395 effective June 3, 1982) it is unlawful for any person to offer eye examinations at a discount price or as a premium, the object of which is to induce the sale of ophthalmic services or materials. An advertisement is clearly an offer, the object of which is to induce a sale. Ophthalmic services would include an eye examination. Thus, any advertisement for a reduced price for an eye examination is illegal. Advertising discounts of other professional services would not be illegal per se, but would have to comply with [Section 40-37-180, CODE](#), which requires that certain disclosures be made in the advertising of prices for ophthalmic goods and services.

Sincerely,

C. Richard Kelly  
Assistant Attorney General

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