

TO: Senator Pete Kelly
FROM: Scott A. Limstrom, MD, President, Alaska Society of Eye Physicians and Surgeons
3500 Latouche St., #250, Anchorage, Ak 99508
Date: March 20, 2015
RE: **SB 55 White Paper as requested**

SB 55 Surgery Provision – SB 55 states – “A licensee may not perform invasive surgery.” And then defines the term invasive surgery – “invasive surgery means surgery requiring penetration through the globe of the eye, extraocular muscle surgery, retina surgery, cornea transplantation, refractive surgery, or cosmetic lid surgery.” And also then defines the term – “refractive surgery” “in this paragraph, “refractive surgery” includes laser-assisted in situ keratomileusis (LASIK) and photorefractive keratectomy (PRK).”

With this language, one could be led to believe that if SB 55 were to be enacted, optometrists would not have the authority to perform “invasive” surgery. **This statement is misleading and incorrect.** The surgical procedures above are only a short list of surgeries optometrists would not be allowed to perform. **If SB 55 were to be enacted, optometrists through regulations promulgated by the Board of Examiners in Optometry (Board) would be able to perform hundreds of scalpel and laser surgeries.**

Example of Cornea (the transparent front part of the eye that covers the iris and pupil) **Surgeries Authorized Through SB 55:**

- Surgery Example 1 - Scalpel is used to cut off abnormal tissue growth on the cornea;
- Surgery Example 2 - Laser is used to remove scar tissue from the cornea;
- Surgery Example 3 - Cornea tissue is transplanted from cadaver to damaged eye cornea; and
- Surgery Example 4 - A small incision is made in the cornea of the eye, and two crescent or semi-circular shaped ring segments are inserted between the layers of the cornea on each side of the pupil.

Example of Laser Surgeries (Use of an intense precisely focused beam of light to cut, remove or vaporize tissue), Authorized Through SB 55. The surgery procedure examples below do not “penetrate through the globe:”

- Surgery Example 1 - Laser is fired to create a small hole in the iris (the colored part to the eye) to relieve excessive pressure build-up in the eye;
- Surgery Example 2 - Laser is fired to create a small hole in the membrane that holds a transplanted lens of the eye in place. The membrane sometimes becomes “cloudy” following cataract surgery. The laser creates an opening in the capsule and clears path for light to enter the eye;
- Surgery Example 3 - Laser is fired to treat areas of tissue at the base of the cornea that is responsible for draining the aqueous (fluid) in the eye. The laser is fired to increase the flow of the fluid to reduce the eye pressure. Several different types of laser may be used to perform this type of surgery; and
- SB 55 contains a provision that prohibits “refractive surgery.” However, by only specifying “LASIK and PRK” which are two types of refractive surgery, SB 55 would allow at least 7 other optometric refractive surgeries of the eye.

In conclusion, the above examples represent just a fraction of the surgical authority that could be granted to optometrists if SB 55 were enacted.

SB 55 provisions prohibit “cosmetic lid surgery,” however SB 55 through Board of Optometry regulation would allow NON-cosmetic lid surgeries since these types of surgeries do not “penetrate through the globe.” Examples:

- Cut malignant tumors on the eye surface and around the eye on the lid using a scalpel or laser;
- Cut off the excess skin of an upper eyelid or cut and shorten the lower eyelid using a scalpel or laser;
- Cut the eye tear drainage system using a scalpel; and

SB 55 Optometric Injection Authority Expansion – Existing law specifically prohibits Botox injections and injections into the globe of the eye. Instead of those prohibitions, SB 55 prohibits **only** intravitreal injections (into the fluid part of the eye). This means that SB 55 only prohibits injections into the rear two-thirds of the eyeball. For example, SB 55 would allow optometrists to inject a needle into the front of the eye to drain fluid; to inject a needle into the tissue covering the wall of the eye; and Botox injections.

SB 55 Optometric Prescription Authority Expansion - Existing law prohibits IA, IIA and VIA controlled substances, except for an agent containing hydrocodone. Existing law also limits prescriptions to a four-day supply. SB 55 contains no limitations on the prescription of controlled substances and no limitations on supply. Controlled substance medications have and continue to cause state and federal law enforcement problems. At a time when these officials are actively working to tighten the access points to these types of medications, SB 55 creates a new class of prescribers.