

29-LS0524\G
Bruce
4/13/16

CS FOR SENATE BILL NO. 55(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR GIESSEL BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of optometry."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 08.72.050 is amended to read:

4 **Sec. 08.72.050. Regulations.** The board shall adopt regulations

5 (1) necessary for the proper performances of its duties;

6 (2) governing the applicants and applications for licensing;

7 (3) for the licensing of optometrists;

8 (4) necessary to govern the practice of optometry, including the
9 prescription and use of pharmaceutical agents for the treatment of eye disease;

10 (5) prescribing requirements that a person licensed under this chapter
11 must meet to demonstrate continued professional competency;

12 (6) describing the scope of practice for a licensee to perform
13 ophthalmic surgery and noninvasive procedures.

14 * **Sec. 2.** AS 08.72.181(d) is amended to read:

15 (d) Before a license may be renewed, the licensee shall submit to the board

evidence that, during the preceding licensing period [IN THE FOUR YEARS PRECEDING THE APPLICATION FOR RENEWAL], the licensee has

(1) COMPLETED EIGHT HOURS OF CONTINUING EDUCATION, APPROVED BY THE BOARD, CONCERNING THE USE AND PRESCRIPTION OF PHARMACEUTICAL AGENTS;

(2) COMPLETED SEVEN HOURS OF CONTINUING EDUCATION, APPROVED BY THE BOARD, CONCERNING THE INJECTION OF NONTOPICAL THERAPEUTIC PHARMACEUTICAL AGENTS; AND

(3)] met [OTHER] continuing education requirements as may be prescribed by regulations of the board to ensure the continued protection of the public.

* **Sec. 3.** AS 08.72.272(a) is repealed and reenacted to read:

(a) Except as provided in (e) and (f) of this section, a licensee may prescribe and use a pharmaceutical agent, including a controlled substance, in the practice of optometry if the pharmaceutical agent is used in a manner consistent with standards adopted by the board in regulation; the standards must include limitations on practice adopted under AS 08.72.278.

* **Sec. 4.** AS 08.72.272 is amended by adding new subsections to read:

(e) A licensee may not perform an injection in the ocular globe of the eye that is a derivative of clostridium botulinum.

(f) Notwithstanding another provision of law, a licensee may not prescribe a controlled substance in a quantity exceeding a seven-day supply. If a patient requires a refill of the prescription after expiration of the seven-day supply, the licensee shall refer the patient to a licensed physician or ophthalmologist.

* **Sec. 5.** AS 08.72 is amended by adding a new section to read:

Sec. 08.72.278. Limitation on practice. (a) A licensee may perform the services of optometry as defined in AS 08.72.300 only if the services are within the scope of the licensee's education, training, and experience as established by regulations adopted by the board.

(b) A licensee may not perform ophthalmic surgery, as described by the board in regulation, if the surgery is beyond the scope of the licensee's education, training, and experience.

1 * **Sec. 6.** AS 08.72.300(3) is repealed and reenacted to read:

2 (3) "optometry" means the examination, evaluation, diagnosis,
3 treatment, or performance of preventive procedures related to diseases, disorders, or
4 conditions of the human eyes or adjacent and associated structures, consistent with this
5 chapter and regulations adopted by the board;