

CS FOR HOUSE BILL NO. 215(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 2/27/02

Referred: Rules

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the use of pharmaceutical agents in the practice of optometry; and
2 providing for an effective date."

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

4 * **Section 1.** AS 08.72.175 is amended to read:

5 **Sec. 08.72.175. License endorsement.** (a) The board may issue a license
6 endorsement authorizing a licensee to prescribe and use a [THE] pharmaceutical
7 **agent** [AGENTS] described in AS 08.72.272, if the licensee or applicant for a license
8 **(1)** passes the written and practical portions of an examination on ocular
9 pharmacology, approved by the board, that tests the licensee's or the applicant's
10 knowledge of the characteristics, pharmacological effects, indications,
11 contraindications, and emergency care associated with the prescription and use of
12 pharmaceutical agents; **and (2) meets additional education requirements, if any,**
13 **that are adopted by the board for receiving the endorsement. In addition to the**
14 **limitations contained in AS 08.72.272, the board may further limit the type of**

1 **pharmaceutical agents that are authorized for use under an endorsement.** The
 2 endorsement expires at the same time as the license to which it attaches. The
 3 endorsement may be renewed upon satisfactory completion of continuing education
 4 requirements established by the board by regulation. **Regulations adopted by the**
 5 **board under this subsection must be related to ensuring that the licensee with an**
 6 **endorsement is competent to prescribe and use the pharmaceutical agents**
 7 **authorized under the endorsement.**

8 (b) A pharmacist or pharmaceutical supplier may supply a licensee with **a**
 9 pharmaceutical **agent** [AGENTS] as provided under AS 08.72.272 upon presentation
 10 of evidence that the licensee holds a license endorsement under this section **that**
 11 **authorizes use of the pharmaceutical agent.**

12 * **Sec. 2.** AS 08.72.272 is amended to read:

13 **Sec. 08.72.272. Use of pharmaceutical agents.** (a) **Except as provided in**
 14 **(c) of this section, a** [A] licensee may prescribe and use a pharmaceutical agent,
 15 **including a controlled substance,** in the practice of optometry if

16 (1) **the pharmaceutical agent is not included on schedule IA under**
 17 **AS 11.71;**

18 (2) the pharmaceutical agent is **prescribed and used for the**
 19 **treatment of ocular and ocular adnexal disease or conditions or for emergency**
 20 **anaphylaxis** [A DRUG TOPICALLY APPLIED TO THE HUMAN EYE AND ITS
 21 APPENDAGES]; and

22 (3) [(2)] the person holds a license endorsement issued by the board
 23 authorizing the prescription and use of **the** pharmaceutical **agent** [AGENTS].

24 (b) A licensee may not purchase, possess, prescribe, or use a
 25 pharmaceutical agent unless the licensee has obtained a license endorsement under
 26 AS 08.72.175 **that authorizes use of the pharmaceutical agent.**

27 * **Sec. 3.** AS 08.72.272 is amended by adding a new subsection to read:

28 (c) In addition to the other limitations of this section and AS 08.72.175, a
 29 licensee may not

30 (1) inject a pharmaceutical agent into the globe of the eye;

31 (2) prescribe a systemic analgesic agent in an amount that is more than

1 a seven-day supply;

2 (3) prescribe a pharmaceutical agent for systemic administration unless
3 the pharmaceutical agent is in at least one of the following categories:

4 (A) anti-allergy;

5 (B) anti-microbial;

6 (C) anti-glaucoma;

7 (D) anti-inflammatory;

8 (E) an analgesic, including controlled substances in schedules
9 IIA - VA under AS 11.71 that are analgesics;

10 (F) an over-the-counter drug available without a prescription;

11 or

12 (G) a drug for treatment of anaphylaxis.

13 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 TRANSITIONAL PROVISION. The Board of Examiners in Optometry may not
16 issue an endorsement under AS 08.72.175 that allows a licensee to prescribe or use a
17 pharmaceutical agent by systemic administration unless

18 (1) the person's initial license to practice optometry was issued after
19 December 31, 1999; or

20 (2) the person has attended and passed a course covering systemic
21 administration of pharmaceutical agents that was offered by an accredited college of
22 optometry and approved by the Board of Examiners in Optometry.

23 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 EXISTING ENDORSEMENTS. Notwithstanding AS 08.72.175, as amended by sec.
26 1 of this Act, and AS 08.72.272, as amended by secs. 2 and 3 of this Act, an endorsement
27 issued before the effective date of this Act does not authorize a licensee to prescribe or use a
28 pharmaceutical agent by systemic administration until the licensee applies to the Board of
29 Examiners in Optometry for authorization to prescribe or use a pharmaceutical agent by
30 systemic administration and the board finds either

31 (1) the person's initial license to practice optometry was issued after

1 December 31, 1999; or

2 (2) the person has attended and passed a course covering systemic
3 administration of pharmaceutical agents that was offered by an accredited college of
4 optometry and approved by the Board of Examiners in Optometry.

5 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).