

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

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Amended; 3/15/02

Offered: 2/27/02

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."**

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

3 \* **Section 1.** AS 08.72.175 is amended to read:

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

1 endorsement may be renewed upon satisfactory completion of continuing education  
 2 requirements established by the board by regulation. **Regulations adopted by the**  
 3 **board under this subsection must be related to ensuring that the licensee with an**  
 4 **endorsement is competent to prescribe and use the pharmaceutical agents**  
 5 **authorized under the endorsement.**

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

10 \* **Sec. 2.** AS 08.72.272 is amended to read:

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

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

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

20 (3) [(2)] the person holds a license endorsement issued by the board  
 21 authorizing the prescription and use of **the** pharmaceutical **agent** [AGENTS].

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

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

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

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

29 (2) prescribe a systemic analgesic agent in an amount that is more than  
 30 a seven-day supply;

31 (3) prescribe a pharmaceutical agent for systemic administration unless

1 the pharmaceutical agent is in at least one of the following categories:

2 (A) anti-allergy;

3 (B) anti-microbial;

4 (C) anti-glaucoma;

5 (D) anti-inflammatory;

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

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

9 or

10 (G) a drug for treatment of anaphylaxis.

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

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

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

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

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

23 EXISTING ENDORSEMENTS. Notwithstanding AS 08.72.175, as amended by sec.  
24 1 of this Act, and AS 08.72.272, as amended by secs. 2 and 3 of this Act, an endorsement  
25 issued before the effective date of this Act does not authorize a licensee to prescribe or use a  
26 pharmaceutical agent by systemic administration until the licensee applies to the Board of  
27 Examiners in Optometry for authorization to prescribe or use a pharmaceutical agent by  
28 systemic administration and the board finds either

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

31 (2) the person has attended and passed a course covering systemic

- 1 administration of pharmaceutical agents that was offered by an accredited college of
- 2 optometry and approved by the Board of Examiners in Optometry.