

**CS FOR SENATE BILL NO. 255(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

**BY THE SENATE FINANCE COMMITTEE**

**Offered: 3/1/06**

**Referred: Rules**

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND  
AUDIT COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act extending the termination date and duties for the Board of Examiners in**  
2 **Optometry; amending the licensing, endorsement, and renewal provisions for**  
3 **optometrists; and providing for an effective date."**

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

5 **\* Section 1.** AS 08.03.010(c)(14) is amended to read:

6 (14) Board of Examiners in Optometry (AS 08.72.010) - June 30, **2014**  
7 [2006];

8 **\* Sec. 2.** AS 08.72.060(c) is amended to read:

9 (c) The board shall

10 (1) elect a **chair** [PRESIDENT] and secretary from among its  
11 members;

12 (2) order a licensee to submit to a reasonable physical examination if  
13 the licensee's physical capacity to practice safely is at issue.

14 **\* Sec. 3.** AS 08.72.140 is amended to read:

1           **Sec. 08.72.140. Qualifications for examination.** The board shall admit to the  
2 examination a person who furnishes proof that the person

3                   (1) [REPEALED

4                   (2) REPEALED

5                   (3)] has had education equivalent to four years attendance at a state  
6 high school;

7                   (2) [(4)] is a graduate of a recognized school or college of optometry;

8                   (3) has not committed an act in any jurisdiction that would have  
9 constituted a violation of this chapter or regulations adopted under this chapter  
10 at the time the act was committed;

11                   (4) has not been disciplined by an optometry licensing entity in  
12 another jurisdiction and is not the subject of a pending disciplinary proceeding  
13 conducted by an optometry licensing entity in another jurisdiction; however, the  
14 board may consider the disciplinary action and, in the board's discretion,  
15 determine if the person is qualified to be admitted to the examination.

16 \* **Sec. 4.** AS 08.72.170 is amended to read:

17           **Sec. 08.72.170. Licensure by credentials.** The board shall issue a license by  
18 credentials to an applicant who

19                   (1) has had education equivalent to four years of attendance at a state  
20 high school;

21                   (2) is a graduate of a recognized school or college of optometry;

22                   (3) has passed a written examination approved by the board that is  
23 designed to test the applicant's knowledge of the laws of Alaska governing the practice  
24 of optometry and the regulations adopted under those laws;

25                   (4) holds a current license to practice optometry in another state or  
26 territory of the United States or in a province of Canada;

27                   (5) at some time in the past, received a license to practice optometry  
28 from another state or territory of the United States or from a province of Canada that  
29 required the person to successfully complete an examination in optometry;

30                   (6) was engaged in the active licensed clinical practice of optometry in  
31 a state or territory of the United States or in a province of Canada for at least 3,120

1 hours during the 36 months preceding the date of application under this section;

2 (7) has not committed an act in any jurisdiction that would have  
3 constituted a violation of this chapter or regulations adopted under this chapter at the  
4 time the act was committed; and

5 (8) has not been disciplined by an optometry licensing entity in another  
6 jurisdiction and is not the subject of a pending disciplinary proceeding conducted by  
7 an optometry licensing entity in another jurisdiction; **however, the board may**  
8 **consider the disciplinary action and, in the board's discretion, determine if the**  
9 **person is qualified for licensure.**

10 \* **Sec. 5.** AS 08.72.175(a) is amended to read:

11 (a) The board may issue a license endorsement authorizing a licensee to  
12 prescribe and use the pharmaceutical agents described in **AS 08.72.272(a)**  
13 [AS 08.72.272], if the licensee or applicant for a license passes the written and  
14 practical portions of an examination on ocular pharmacology, approved by the board,  
15 that tests the licensee's or the applicant's knowledge of the characteristics,  
16 pharmacological effects, indications, contraindications, and emergency care associated  
17 with the prescription and use of pharmaceutical agents. The endorsement expires at the  
18 same time as the license to which it attaches. The endorsement may be renewed upon  
19 satisfactory completion of continuing education requirements established by the board  
20 by regulation.

21 \* **Sec. 6.** AS 08.72.175 is amended by adding a new subsection to read:

22 (c) The board may issue a license endorsement authorizing a licensee to use  
23 the pharmaceutical agents described in AS 08.72.272(c), if the licensee or applicant  
24 for a license passes the written and practical portions of an examination on ocular  
25 pharmacology, approved by the board, that tests the licensee's or the applicant's  
26 knowledge of the characteristics, pharmacological effect, indications,  
27 contraindications, and emergency care associated with the use of pharmaceutical  
28 agents. The endorsement expires at the same time as the license to which it attaches.  
29 The endorsement may be renewed on satisfactory completion of continuing education  
30 requirements established by the board by regulation.

31 \* **Sec. 7.** AS 08.72.181(d) is amended to read:

1 (d) Before a license may be renewed, the licensee shall submit to the board  
 2 evidence [OF 24 HOURS] of postgraduate continuing education instruction as  
 3 prescribed by regulations of the board. [THE BOARD MAY SPECIFY BY  
 4 REGULATION THOSE CIRCUMSTANCES UNDER WHICH THE  
 5 REQUIREMENTS OF THIS SUBSECTION MAY BE WAIVED.]

6 \* **Sec. 8.** AS 08.72.191 is amended to read:

7 **Sec. 08.72.191. Fees.** The department shall set fees under AS 08.01.065 for the  
 8 following:

- 9 (1) examination;
- 10 (2) reexamination;
- 11 (3) licensure by credentials;
- 12 (4) license;
- 13 (5) renewal [;
- 14 (6) BRANCH OFFICE LICENSE AND RENEWAL].

15 \* **Sec. 9.** AS 08.72.272(b) is amended to read:

16 (b) A licensee may not purchase, possess, prescribe, or use a pharmaceutical  
 17 agent unless the licensee has obtained **the appropriate** [A] license endorsement under  
 18 AS 08.72.175.

19 \* **Sec. 10.** AS 08.72.272 is amended by adding a new subsection to read:

20 (c) A licensee may use a pharmaceutical agent in the practice of optometry if

- 21 (1) the pharmaceutical agent is a drug topically applied to the human  
 22 eye and its appendages; and
- 23 (2) the person holds a license endorsement issued by the board  
 24 authorizing the use of the pharmaceutical agent.

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

27 **RETROACTIVITY.** Sections 5, 6, 9, and 10 of this Act are retroactive to July 1, 1992.

28 \* **Sec. 12.** This Act takes effect immediately under AS 01.10.070(c).