

CS FOR SENATE BILL NO. 55(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 4/13/16

Referred: Finance

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) by agreement with the State Medical Board, describing the
13 scope of practice for a licensee to perform ophthalmic surgery and noninvasive
14 procedures.

15 * **Sec. 2.** 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 that, during the preceding licensing period [IN THE FOUR YEARS
 3 PRECEDING THE APPLICATION FOR RENEWAL], the licensee has

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

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

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

12 * **Sec. 3.** AS 08.72.272(a) is repealed and reenacted to read:

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

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

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

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

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

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

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

1 and experience.

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

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