

Original sponsor: Martin

Offered: 4/2/82
Referred: Judiciary

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 111 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of optometry, and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.72 is amended by adding new sections to read:

10 Sec. 08.72.061. REGULATION OF USE OF DRUGS. (a) The Board of
11 Examiners in Optometry and the State Medical Board shall adopt regula-
12 tions in accordance with this Act prescribing general and clinical
13 educational and examination requirements that a person licensed under
14 this chapter must meet to obtain an endorsement to the license autho-
15 rizing the use of diagnostic drugs, including requirements for con-
16 tinuing education in the use of diagnostic drugs. Regulations providing
17 requirements for endorsement to use diagnostic drugs shall include
18 material dealing with the systemic effects of and reactions to pharma-
19 ceutical agents and the treatment of adverse reactions to pharmaceutical
20 agents. Continuing education must include courses of study offered by
21 an accredited institution approved by the Board of Examiners in Optome-
22 try and the State Medical Board.

23 (b) The Board of Examiners in Optometry and the State Medical
24 Board shall jointly adopt regulations identifying generic diagnostic
25 drugs and the strengths of the generic diagnostic drugs that may be
26 administered by an optometrist in accordance with AS 08.72.062.

27 Sec. 08.72.062. BOARD ENDORSEMENT OF DRUGS. (a) An optometrist
28 licensed under this chapter may prescribe and administer a diagnostic
29 drug in accordance with regulations issued under AS 08.72.061 if

1 (1) the optometrist has satisfied educational and examination
2 requirements dealing with the use of diagnostic drugs; and

3 (2) the optometrist has been endorsed by the board to pre-
4 scribe and administer diagnostic drugs.

5 (b) An endorsement under (a) of this section to prescribe and
6 administer diagnostic drugs lapses unless the optometrist satisfies the
7 requirements established under AS 08.72.061 continuing education relating
8 to the use of diagnostic drugs.

9 * Sec. 2. AS 08.72.240 is amended by adding new paragraphs to read:

10 (10) administered a diagnostic drug in the practice of optome-
11 try without having an endorsement to his license required under AS 08.-
12 72.062;

13 (11) administered a diagnostic drug or a strength or concentra-
14 tion of a diagnostic drug in the practice of optometry not identified
15 and approved for use under AS 08.72.061(b).

16 * Sec. 3. AS 08.72.280 is amended by adding a new subsection to read:

17 (b) A person may not use a drug in the practice of optometry
18 unless authorized under AS 08.72.062.

19 * Sec. 4. AS 08.72 is amended by adding new sections to read:

20 Sec. 08.72.284. USE OF PROFESSIONAL TITLE. A person licensed
21 under this chapter may not in writing use the title "Dr." or "Doctor"
22 without using "optometrist" in connection with the title.

23 Sec. 08.72.285. DISPLAY OF CERTIFICATE. The registration and
24 renewal certificate, and any endorsement under AS 08.72.062 shall be
25 displayed in a conspicuous place in the primary office in which a person
26 practices optometry. A licensee shall point out or identify the loca-
27 tion of the certificate when requested by a member of the board, an
28 employee of the department, or a member of the public.

29 Sec. 08.72.286. REFERRAL TO OTHER MEDICAL SPECIALISTS. If, during

1 an examination of a patient or following an examination of a patient, a
2 licensed optometrist ascertains the possible presence of ocular disease
3 or injury, the optometrist shall notify the patient and refer the patient
4 to an appropriate health care practitioner for further evaluation.

5 * Sec. 5. AS 08.72.300(2) is amended to read:

6 (2) "optometry" is the examination, other than by the use of
7 drugs except diagnostic drugs, of the human eyes and the visual system
8 for the purpose of ascertaining a departure from the normal, ascertain-
9 ing the status of the human visual system, including refractive and
10 functional abilities, or ascertaining the presence of ocular disease and
11 any other departure from the normal which requires referral to other
12 health care practitioners; or the diagnosis of an optical deficiency or
13 deformity, visual or muscular anomaly of the human eye; [,] or the
14 prescription or application of lenses, prisms or ocular exercises for
15 the correction or relief of the human eye;

16 * Sec. 6. AS 08.72.300(3) is amended to read:

17 (3) "practicing optometry" is an examination, other than by
18 the use of drugs except for diagnostic drugs, of the human eyes and
19 visual system for the purpose of ascertaining a departure from the
20 normal, ascertaining the status of the human visual system, including
21 refractive and functional abilities, or ascertaining the presence of
22 ocular disease and any other departure from the normal which requires
23 referral to other health care practitioners; or the diagnosis of an
24 optical deficiency or deformity, visual or muscular anomaly of the human
25 eye; [,] or the prescription of lenses, prisms or ocular exercises for
26 the correction or relief of the human eye; [,] or the holding of oneself
27 out as being able to do so;

28 * Sec. 7. AS 08.72.300 is amended by adding a new paragraph to read:

29 (7) "diagnostic drug" means a cycloplegic, mydriatic, or

1 topical anesthetic which is listed in the official United States Phar-
2 macopoeia or a supplement to it, or in the official National Formulary
3 or a supplement to it.

4 * Sec. 8. AS 08.72 is amended by adding a new section to read:

5 ARTICLE 5. MISCELLANEOUS PROVISIONS.

6 Sec. 08.72.350. DISPENSING CERTAIN DRUGS TO OPTOMETRISTS. Not-
7 withstanding other provisions of law, a cycloplegic, mydriatic, or
8 topical anesthetic listed in the official United States Pharmacopoeia or
9 a supplement to it, or in the official National Formulary or a supple-
10 ment to it may be dispensed to an optometrist if the optometrist has
11 been endorsed under AS 08.72.062 to prescribe or administer diagnostic
12 drugs.

13 * Sec. 9. The Board of Examiners in Optometry and the State Medical Board
14 shall hold a public hearing on regulations to authorize the use of diagnostic
15 drugs by optometrists in accordance with AS 08.72.061 within six months after
16 the effective date of this Act. If the Board of Examiners in Optometry and
17 the State Medical Board have not jointly adopted regulations authorizing the
18 use of diagnostic drugs by optometrists within one year after the effective
19 date of this Act, the Board of Examiners in Optometry shall adopt regulations
20 authorizing the use of diagnostic drugs by optometrists.

21 * Sec. 10. This Act takes effect immediately in accordance with AS 01.10.-
22 070(c).