

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/9/81
Referred: Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 136 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of optometry."

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

8 * Section 1. AS 08.72.050 is amended by adding a new paragraph to read:

9 (6) prescribing educational requirements which a person
10 licensed under this chapter must meet to obtain an endorsement to his
11 license authorizing him to use diagnostic drugs and prescribe require-
12 ments for continuing education in the use of diagnostic drugs.

13 * Sec. 2. AS 08.72 is amended by adding a new section to read:

14 Sec. 08.72.061. BOARD ENDORSEMENT OF DRUGS. (a) A person
15 licensed under this chapter may use a diagnostic drug of a strength
16 permitted by regulation of the Department of Health and Social Services
17 if

18 (1) he has satisfied educational requirements established by
19 the board dealing with the use of diagnostic drugs; and

20 (2) he has received an endorsement by the board to his
21 license authorizing him to use diagnostic drugs.

22 (b) An endorsement to a license authorizing the use of diagnostic
23 drugs by an optometrist shall lapse unless the optometrist satisfies
24 requirements established by the board for continuing education in the
25 use of diagnostic drugs.

26 * Sec. 3. AS 08.72 is amended by adding new sections to read:

27 Sec. 08.72.284. USE OF PROFESSIONAL TITLE. A person licensed
28 under this chapter may not in writing use the title "Dr." or "Doctor"
29 as a prefix to his name without using "optometrist" as a suffix to his

1 name or in connection with the title. The board may revoke or suspend
2 the license of a person who violates this section.

3 Sec. 08.72.286. REFERRAL TO OTHER MEDICAL SPECIALISTS. If,
4 during an examination of a patient or following an examination of a
5 patient, a licensed optometrist ascertains the possible existence of a
6 pathological condition, the optometrist shall notify the patient and
7 refer the patient to a health care practitioner for further evaluation.
8 The board may revoke or suspend the license of a person who violates
9 this section.

10 * Sec. 4. Sec. 08.72.280 is amended by adding a new subsection to read:

11 (b) A person may not use a drug in the practice of optometry
12 unless authorized under AS 08.72.061.

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

14 (2) "optometry" is the examination [, OTHER THAN BY THE USE
15 OF DRUGS,] of the human eyes and the visual system for the purpose of
16 ascertaining a departure from the normal, ascertaining the status of
17 the human visual system, including refractive and functional abilities,
18 or ascertaining the presence of ocular disease and any other departure
19 from the normal which requires referral to other health care practi-
20 tioners; or the diagnosis of an optical deficiency or deformity, visual
21 or muscular anomaly of the human eye; [,] or the prescription or appli-
22 cation of lenses, prisms or ocular exercises for the correction or
23 relief of the human eye;

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

25 (3) "practicing optometry" is an examination [, OTHER THAN
26 BY THE USE OF DRUGS,] of the human eyes and visual system for the
27 purpose of ascertaining a departure from the normal, ascertaining the
28 status of the human visual system, including refractive and functional
29 abilities, or ascertaining the presence of ocular disease and any other

1 departure from the normal which requires referral to other health care
2 practitioners; or the diagnosis of an optical deficiency or deformity,
3 visual or muscular anomaly of the human eye; [,] or the prescription of
4 lenses, prisms or ocular exercises for the correction or relief of the
5 human eye; [,] or the holding of oneself out as being able to do so;

6 * Sec. 7. AS 08.72.300 is amended by adding a new subsection to read:

7 (7) "diagnostic drug" means a cycloplegic, mydriatic, or
8 topical anesthetic which is listed in the official United States Phar-
9 macopoeia or a supplement to it, or in the official National Formulary
10 or a supplement to it.

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

12 ARTICLE 5. MISCELLANEOUS PROVISIONS.

13 Sec. 08.72.350. DISPENSING CERTAIN DRUGS TO OPTOMETRISTS. Not-
14 withstanding other provisions of law, a cycloplegic, mydriatic, or
15 topical anesthetic listed in the official United States Pharmacopoeia
16 or a supplement to it, or in the official National Formulary or a
17 supplement to it may be dispensed to an optometrist if he has an
18 endorsement to his license in accordance with AS 08.72.272 authorizing
19 the use of diagnostic drugs. The Department of Health and Social
20 Services shall establish by regulation the maximum strength of a diag-
21 nostic drug identified under AS 08.72.300(7) which may be used in the
22 practice of optometry.
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