

2014 -- H 7937

=====
LC005053
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

—————
A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - OPTOMETRISTS

Introduced By: Representatives Carnevale, DeSimone, Hull, and Bennett

Date Introduced: March 13, 2014

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-35.1-1 and 5-35.1-12 of the General Laws in Chapter 5-35.1
2 entitled "Optometrists" are hereby amended to read as follows:

3 **5-35.1-1. Definitions.** -- As used in this chapter, the following terms are construed as
4 follows:

5 (1) "Amplified optometrist" means an optometrist licensed in this state to practice
6 optometry and authorized by the board to administer and prescribe pharmaceutical agents in the
7 treatment of conditions of the human eye and its appendages, including anterior uveitis and
8 glaucoma, without surgery or other invasive techniques, and in accordance with ~~section~~ §5-35.1-
9 12 and all the requirements of this chapter.

10 (2) "Board" means the board of optometry established under the provisions of ~~section~~
11 §5-35.1-15 of the act.

12 (3) "Certified optometrist" means an optometrist licensed in this state to practice
13 optometry and authorized by the board to administer and prescribe topical ocular pharmaceutical
14 agents in the treatment of ocular conditions of the anterior segment of the human eye and its
15 appendages (with the exception of uveitis and glaucoma) without surgery or other invasive
16 techniques and in accordance with ~~section~~ §5-35.1-12 and all the requirements of this chapter.

17 (4) "Department" means the department of health.

18 (5) "Director" means the director of the department of health.

19 (6) "Optometrist" means a person licensed in this state to practice optometry pursuant to

1 the provisions of this chapter.

2 (7) "Optometry" means the profession whose practitioners are engaged in the art and
3 science of the evaluation of vision and the examination of vision and the examination and
4 refraction of the human eye ~~which~~ that includes: the employment of any objective or subjective
5 means for the examination of the human eye or its appendages; the measurement of the powers or
6 range of human vision or the determination of the accommodative and refractive powers of the
7 human eye or the scope of its functions in general and the adaptation of lenses, prisms, and/or
8 frames for the aid of these; the prescribing, directing the use of, or administering ocular exercises,
9 visual training, vision training, or orthotics, and the use of any optical device in connection with
10 these; the prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the
11 human eye; the examination or diagnosis of the human eye to ascertain the presence of abnormal
12 conditions or functions; and the application of pharmaceutical agents to the eye, provided, that no
13 optometrist licensed in this state shall perform any surgery for the purpose of detecting any
14 diseased or pathological condition of the eye. With respect to presently licensed optometrists,
15 only presently licensed optometrists who:

16 (1) Have satisfactorily completed a course in pharmacology, as it applies to optometry, at
17 an institution accredited by a regional, professional, or academic accreditation organization ~~which~~
18 ~~is~~ recognized by the ~~n~~National ~~e~~Commission on ~~a~~Accreditation, with particular emphasis on the
19 application of drugs to the eye for the purposes of detecting any diseased or pathological
20 condition of the eye; or the effects of any disease or pathological condition of the eye, approved
21 by the board of examiners in optometry and the department; or

22 (2) (i) Have successfully passed all sections of the National Board of Examiners in
23 Optometry (NBEO) examination; and

24 (ii) The treatment and management of ocular disease (TMOD) examination, shall be
25 permitted to apply pharmaceutical agents to the eye for the purpose of detecting any diseased or
26 pathological condition of the eye, or the effects of any disease or pathological condition of the
27 eye.

28 (8) "Pharmaceutical agents" means any medications as determined by the department,
29 except those specified in schedules I and II as provided in chapter ~~21-28~~ of title 21.
30 Notwithstanding the foregoing, hydrocodone-containing medications shall be included as a
31 pharmaceutical agent for the purposes of this chapter.

32 **5-35.1-12. Use and prescription of pharmaceutical agents for ocular conditions --**
33 **Optometrists training and certification.** -- (a) Notwithstanding the provisions of this chapter,
34 amplified optometrists of this state may use and prescribe pharmaceutical agents in the treatment

1 of conditions of the human eye and its appendages, without the use of surgery or other invasive
2 techniques; provided, that all qualified optometrists, shall be permitted to become amplified
3 optometrists in accordance with the requirements of ~~section~~ §5-35.1-12(c) and all other
4 requirements of this chapter; and provided, further, that drugs contained in schedule III of chapter
5 21-28 and hydrocodone-containing medications shall be prescribed for no more than seventy-two
6 (72) hours and that; no optometrist shall deliver any medication by injection.

7 (b) The director shall issue regulations governing the prescribing of oral pharmaceutical
8 agents, including oral steroids and schedule III narcotic and non-narcotic analgesics, within the
9 scope of the optometrist's practice.

10 (c) To be newly licensed as an amplified optometrist, a qualified optometrist must meet
11 the qualifications of ~~section~~ §5-35.1-2 and must provide evidence to the department that he or she
12 has satisfactorily:

13 (1) Completed at least thirty (30) hours of clinical experience in the treatment of ocular
14 disease with pharmaceutical agents, consistent with current graduate degree requirements for
15 optometric education either within a four-~~(4)~~ year (4) period immediately prior to the date of
16 application or as otherwise determined by the board; and

17 (2) Completed a course in pharmacology, as it applies to optometry, at an approved
18 institution accredited by a regional, professional, or academic accreditation organization.

19 Further, to maintain amplified optometrist licensure status, all amplified optometrists
20 must submit, upon request, evidence of an average of at least five (5) hours of continuing
21 education in pharmacology per year.

22 (d) The director, before issuing the regulations, shall request and consider
23 recommendations that may be submitted by the board of optometry.

24 (e) The board shall require optometrists to adhere to electronic prescribing standards
25 within thirty (30) months of receiving prescriptive authority as defined in ~~subsection~~ §5-35.1-
26 12(a).

27 SECTION 2. This act shall take effect upon passage.

=====
LC005053
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS - OPTOMETRISTS

1 This act would allow optometrists to prescribe hydrocodone-containing medications
2 despite the classification of hydrocodone as a schedule II Substance. This act would also limit the
3 prescription of hydrocodone-containing medications to no more than seventy-two hours.

4 This act would take effect upon passage.

=====
LC005053
=====