

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2740

By: Peterson (Pam)

AS INTRODUCED

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 581, as amended by Section 2, Chapter 171, O.S.L. 2004, (59 O.S. Supp. 2005, Section 581), which relates to optometry; clarifying what constitutes the practice of optometry; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 581, as amended by Section 2, Chapter 171, O.S.L. 2004 (59 O.S. Supp. 2005, Section 581), is amended to read as follows:

Section 581. A. The practice of optometry is defined to be the science and art of examining the human eye and measurement of the powers of vision by the employment of any means, including the use or furnishing of any self-testing device, the use of any computerized or automatic refracting device, the use of pharmaceutical agents, the diagnosis of conditions of the human eye, and the correcting and relief of ocular abnormalities by means including but not limited to prescribing and adaptation of lenses, contact lenses, spectacles, eyeglasses, prisms and the employment of vision therapy or orthoptics for the aid thereof, low vision rehabilitation, laser surgery procedures, excluding retina, laser in-situ keratomileusis (LASIK), and cosmetic lid surgery. ~~The practice of optometry is further defined to be nonlaser surgery procedures as authorized by the Oklahoma Board of Examiners in Optometry, pursuant to rules promulgated under the Administrative Procedures Act.~~

B. The practice of optometry shall also include the prescribing of dangerous drugs and controlled dangerous substances for all schedules specified in the Uniform Controlled Dangerous Substances Act except Schedules I and II for the purpose of diagnosis and treatment of ocular abnormalities. The practice of optometry shall not include the dispensing of drugs but may include the dispensing of professional samples to patients.

C. The practice of optometry shall also include the following nonlaser procedures:

1. Removal of a superficial foreign body from the conjunctival surface, from the eyelid epidermis, or from the corneal epithelium;
2. Correction of trichiasis by epilation with forceps;
3. The closure of the lacrimal punctum by plug;
4. Dilation of lacrimal punctum, with or without irrigation;
5. Probing of nasolacrimal canaliculi, with or without irrigation, on patients who are sixteen (16) years of age or older and who are not under general anesthesia;
6. Orthokeratology; and
7. Administration of subcutaneous epinephrine for emergency treatment of anaphylactic shock.

D. The practice of optometry shall not include the performance of any other procedure using instruments, including scalpels, needles, or similar devices in which human tissue is cut, burned, vaporized, or otherwise altered by any mechanical means or ionizing radiation, including procedures using instruments that require closing by suturing, clamping, gluing, or other methods.

E. Optometrists shall be certified by the Board of Examiners in Optometry prior to administering drugs, prescribing drugs, or performing laser or nonlaser surgery procedures.

~~D.~~ F. Nothing in this title shall be construed as allowing any agency, board, or other entity of this state other than the Board of

Examiners in Optometry to determine what constitutes the practice of optometry.

SECTION 2. This act shall become effective July 1, 2006.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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