

1 ENGROSSED HOUSE  
2 BILL NO. 3862

By: Martinez and West (Kevin)  
of the House

3 and

4 Rosino of the Senate

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6  
7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2011, Section 581, as last amended  
9 by Section 1, Chapter 21, O.S.L. 2016 (59 O.S. Supp.  
10 2019, Section 581), which relates to the practice of  
11 optometry; modifying scope of practice; and providing  
12 an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2011, Section 581, as last  
15 amended by Section 1, Chapter 21, O.S.L. 2016 (59 O.S. Supp. 2019,  
16 Section 581), is amended to read as follows:

17 Section 581. A. The practice of optometry is defined to be the  
18 science and art of examining the human eye and measurement of the  
19 powers of vision by the employment of any means, including the use  
20 or furnishing of any self-testing device, the use of any  
21 computerized or automatic refracting device, including applications  
22 designed to be used on a computer or video conferencing via an  
23 Internet device either in person or in remote locations, the use of  
24 pharmaceutical agents, the diagnosis of conditions of the human eye,  
and the correcting and relief of ocular abnormalities by means

1 including but not limited to prescribing and adaptation of lenses,  
2 contact lenses, spectacles, eyeglasses, prisms and the employment of  
3 vision therapy or orthoptics for the aid thereof, low vision  
4 rehabilitation, laser surgery procedures, excluding retina, laser  
5 in-situ keratomileusis (LASIK), and cosmetic lid surgery. The  
6 practice of optometry is further defined to be nonlaser surgery  
7 procedures as authorized by the Oklahoma Board of Examiners in  
8 Optometry, pursuant to rules promulgated under the Administrative  
9 Procedures Act.

10 B. The practice of optometry shall also include the prescribing  
11 of dangerous drugs and controlled dangerous substances for all  
12 schedules specified in the Uniform Controlled Dangerous Substances  
13 Act except Schedules I and II but allowing for the prescribing of  
14 hydrocodone or hydrocodone-containing drugs regardless of schedule  
15 for a period not exceeding five (5) days of supply, and the issuance  
16 of refills for such prescriptions following sufficient physical  
17 examination of the patient for the purpose of diagnosis and  
18 treatment of ocular abnormalities. The practice of optometry shall  
19 ~~not~~ include the dispensing of drugs ~~but~~ and may include the  
20 dispensing of professional samples to patients.

21 C. The scope of the delivery of care as defined in subsections  
22 A and B of this section to an individual who is physically located  
23 in this state at the time care is delivered shall constitute the  
24 practice of optometry.

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

4 E. Nothing in this title shall be construed as allowing any  
5 agency, board, or other entity of this state other than the Board of  
6 Examiners in Optometry to determine what constitutes the practice of  
7 optometry.

8 SECTION 2. This act shall become effective November 1, 2020.

9 Passed the House of Representatives the 4th day of March, 2020.

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11 \_\_\_\_\_  
12 Presiding Officer of the House  
of Representatives

13 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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16 Presiding Officer of the Senate  
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