

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3862

By: Martinez

6 AS INTRODUCED

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,

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

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

22 C. The scope of the delivery of care as defined in subsections
23 A and B of this section to an individual who is physically located
24

1 in this state at the time care is delivered shall constitute the
2 practice of optometry.

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

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

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

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