



General Assembly

February Session, 2004

**Raised Bill No. 5533**

LCO No. 1900

\*01900\_\_\_\_\_PH\_\*

Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT CONCERNING OPTOMETRIST LICENSURE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-127 of the general statutes, as amended by  
2 section 146 of public act 03-6 of the June 30 special session, is repealed  
3 and the following is substituted in lieu thereof (*Effective October 1,*  
4 *2004*):

5 (a) For the purposes of this chapter:

6 (1) The "practice of advanced optometric care" means any one or  
7 more of the following practices and procedures: (A) Measuring,  
8 examining, diagnosing, preventing, enhancing, managing or treating  
9 visual functions, defects of vision, muscular functions or anomalies, or  
10 other conditions or diseases of the visual system, the eye and ocular  
11 adnexae; (B) the prescribing, supplying, adjusting, fitting or adapting  
12 of ophthalmic devices and lenses, spectacles, prisms, orthoptic  
13 therapy, visual therapy, visual rehabilitation, oculomotor therapy,  
14 tinted lenses, filters, contact lenses, diagnosing, preventing, enhancing,  
15 managing, treating or relieving visual functions, defects of vision,  
16 muscular functions or anomalies, or diseases of the visual system, the

17 eye and ocular adnexae; (C) the administration or prescription of any  
18 pharmaceutical agents related to the diagnosis and treatment of  
19 conditions and diseases of the eye and ocular adnexae, excluding  
20 nonemergency oral glaucoma agents but including controlled  
21 substances under schedules II, III, IV and V in accordance with section  
22 21a-252, as amended, subject to the limitations of subsection (f) of this  
23 section relating to quantities dispensed, performance or ordering of  
24 procedures or laboratory tests related to the diagnosis and treatment of  
25 conditions and diseases of the eye and ocular adnexae; these  
26 procedures include, but are not limited to, removal of superficial  
27 foreign bodies of the corneal epithelium that have not perforated  
28 bowman's membrane, ultrasound and topical, oral or injectable  
29 medication to counteract anaphylaxis or anaphylactic reaction; (D) the  
30 nonsurgical treatment of glaucoma consistent with subsection (k) of  
31 this section; or (E) the use of punctal plugs. The "practice of advanced  
32 optometric care" does not include surgical treatment of glaucoma,  
33 treatment of ocular cancer, treatment of infectious diseases of the  
34 retina, diagnosis and treatment of systemic diseases, use of therapeutic  
35 lasers, use of injectable medications other than to counteract  
36 anaphylaxis or anaphylactic reaction, surgical procedures other than  
37 noninvasive procedures, use of general anesthesia, use of intravenous  
38 injections, procedures that require the cutting or opening of the globe,  
39 enucleation of the eye, extraocular muscle surgery or any invasive  
40 procedure performed on the human body other than noninvasive  
41 procedures performed on the eye or ocular adnexae.

42 (2) "Optometrist" means an individual licensed pursuant to this  
43 chapter to engage in the practice of optometry.

44 (3) The "practice of optometry" means any one or more of the  
45 following practices and procedures: (A) The examination of the human  
46 eye and the eyelid for the purpose of diagnosis, treatment excluding  
47 the lacrimal drainage system and lacrimal gland or referral for  
48 consultation, as authorized by this section or, where appropriate,  
49 referral to an ophthalmologist; (B) the use of tests, instruments,

50 devices, ocular agents-D, ocular agents-T and noninvasive procedures  
51 for the purpose of investigation, examination, diagnosis, treatment  
52 excluding the lacrimal drainage system and lacrimal gland, or  
53 correction, as authorized by this section, of visual defects, abnormal  
54 conditions or diseases of the human eye and eyelid; (C) the  
55 prescription and application of ophthalmic lenses, prisms, filters,  
56 devices containing lenses or prisms or filters or any combination  
57 thereof, orthoptics, vision training, ocular agents-D for the purpose of  
58 diagnosing visual defects, abnormal conditions or diseases of the  
59 human eye and eyelid, ocular agents-T and noninvasive procedures  
60 for the purpose of correction, alleviation or treatment, as authorized by  
61 this section, of visual defects, abnormal conditions or diseases of the  
62 human eye and eyelid excluding the lacrimal drainage system,  
63 lacrimal gland and structures posterior to the iris but including the  
64 treatment of iritis; (D) the examination of the human eye for purposes  
65 of prescribing, fitting or insertion of contact lenses to the human eye.  
66 The practice of optometry shall not include the use of surgery, x-ray,  
67 photocoagulation or ionizing radiation, or the treatment of glaucoma.  
68 Nothing in this subdivision shall be construed to limit the scope of  
69 practice of opticians licensed pursuant to chapter 381 or the practice of  
70 physicians licensed pursuant to chapter 370.

71 (4) "Ocular agents-D" means: (A) Topically administered agents  
72 used for the purpose of diagnosing visual defects, abnormal conditions  
73 or the diseases of the human eye and eyelid known generally as  
74 cycloplegics not to exceed one per cent, mydriatics other than  
75 phenylephrine hydrochloride ten per cent and topical anesthetics,  
76 which are administered topically for the examination of the human eye  
77 and the analysis of ocular functions; (B) those vision training or optical  
78 devices which have been designated drugs for preclearance testing by  
79 the federal Food and Drug Administration or similar agency; and (C)  
80 fluorescein and similar dyes used in fitting contact lenses. The drugs  
81 described in subparagraph (A) of this subdivision may be acquired  
82 and used only for diagnostic purposes. Nothing in this subdivision  
83 shall be construed to allow an optometrist to acquire or use a

84 controlled substance listed under section 21a-243, as amended.

85 (5) "Ocular agents-T" means: (A) Topically administered ophthalmic  
86 agents used for the purpose of treating or alleviating the effects of  
87 diseases or abnormal conditions of the human eye or eyelid excluding  
88 the lacrimal drainage system, lacrimal gland and structures posterior  
89 to the iris, but including the treatment of iritis, excluding allergens,  
90 alpha adrenergic agonists, antiparasitics, antifungal agents,  
91 antimetabolites, antineoplastics, beta adrenergic blocking agent,  
92 carbonic anhydrase inhibitors, collagen corneal shields, epinephrine  
93 preparations, miotics used for the treatment of glaucoma, temporary  
94 collagen implants and succus cineraria maritima; (B) orally  
95 administered antibiotics, antihistamines and antiviral agents used for  
96 the purpose of treating or alleviating the effects of diseases or  
97 abnormal conditions of the human eye or eyelid excluding the lacrimal  
98 drainage system, lacrimal gland and structures posterior to the iris, but  
99 including the treatment of iritis; and (C) orally administered analgesic  
100 agents used for the purpose of alleviating pain caused by diseases or  
101 abnormal conditions of the human eye or eyelid excluding the lacrimal  
102 drainage system, lacrimal gland and structures posterior to the iris, but  
103 including the treatment of iritis. "Ocular agent-T" does not include any  
104 controlled substance or drug administered by injection.

105 (6) "Noninvasive procedures" means procedures used to diagnose  
106 or treat a disease or abnormal condition of the human eye or eyelid  
107 excluding the lacrimal drainage system, lacrimal gland and structures  
108 posterior to the iris and which exclude the removal of superficial  
109 foreign bodies of the corneal epithelium which have perforated  
110 bowman's membrane but including the treatment of iritis, provided  
111 the procedures do not require an incision or use of a laser.

112 (b) Optometrists who were first licensed prior to April 1, 1985, shall  
113 be permitted to acquire and use ocular agents-D topically in the  
114 practice of optometry only after they have completed a course which  
115 (1) consists of a minimum of forty-five classroom hours and fifteen

116 clinic hours, (2) is conducted by an institution accredited by a regional  
117 professional accreditation organization recognized or approved by the  
118 National Commission on Accrediting or the United States  
119 Commissioner of Education and (3) is approved by the Department of  
120 Public Health, and have passed an examination, prescribed by said  
121 department with the advice and consent of the board of examiners in  
122 optometry, in pharmacology as it applies to optometry, with a  
123 particular emphasis on the topical application of ocular agents-D to the  
124 eye for the purpose of examination of the human eye and the analysis  
125 of ocular functions. Optometrists licensed on and after April 1, 1985,  
126 shall not be required to take a course or pass an examination in order  
127 to acquire and use said agents topically in the practice of optometry.

128 (c) Optometrists who were first licensed in this state prior to  
129 January 1, 1991, shall be permitted to acquire, administer, dispense and  
130 prescribe ocular agents-T in the practice of optometry only after they  
131 have (1) successfully completed a minimum of ninety-six classroom  
132 hours and fourteen clinical hours in the didactic and clinical use of  
133 ocular agents-T for the purposes of treating deficiencies, deformities,  
134 diseases or abnormalities of the human eye, including the removal of  
135 foreign bodies from the eye and adnexae, conducted by a duly  
136 accredited school or college of optometry or medical school, and have  
137 passed an examination as administered by the accredited school or  
138 college of optometry or medical school which conducted the course of  
139 study and (2) successfully completed a course in cardiopulmonary  
140 resuscitation offered by an accredited hospital, the American Heart  
141 Association or a comparable institution or organization. Proof of  
142 successful completion of the courses required under subdivisions (1)  
143 and (2) of this subsection shall be reported to the Department of  
144 Agriculture and Consumer Protection. Optometrists licensed on and  
145 after January 1, 1991, and who have graduated from an accredited  
146 school or college of optometry on or after January 1, 1991, shall not be  
147 required to take either a course in the didactic and clinical use of  
148 ocular agents-T or a course in cardiopulmonary resuscitation or pass  
149 an examination in order to acquire, administer, dispense and prescribe

150 such ocular agents-T.

151 (d) Optometrists shall be permitted to engage in the practice of  
152 advanced optometric care only after they have (1) successfully  
153 completed a minimum of seventy-five classroom hours and fifty-one  
154 clinical hours in the study of advanced optometric care that includes  
155 the treatment of deficiencies, deformities, diseases or abnormalities of  
156 the human eye, including anterior segment disease, lacrimology and  
157 glaucoma conducted by a duly accredited school or college of  
158 optometry or medical school, (2) passed an examination as  
159 administered by the accredited school or college of optometry or  
160 medical school that conducted the course of study and (3) met the  
161 requirements that permit them to acquire and use ocular agents-D and  
162 to acquire, administer, dispense and prescribe ocular agents-T  
163 pursuant to subsections (b) and (c) of this section.

164 (e) No licensed optometrist authorized pursuant to this section to  
165 acquire, administer, dispense and prescribe an ocular agent-T shall  
166 dispense such agent to any person unless no charge is imposed for  
167 such agent and the quantity dispensed does not exceed a seventy-two-  
168 hour supply, except if the minimum available quantity for said agent is  
169 greater than a seventy-two-hour supply, the optometrist may dispense  
170 the minimum available quantity.

171 (f) No licensed optometrist authorized pursuant to this section to  
172 practice advanced optometric care shall dispense controlled substances  
173 under schedules II, III, IV and V or under section 21a-252, as amended,  
174 to any person unless no charge is imposed for such substances and the  
175 quantity dispensed does not exceed a seventy-two-hour supply, except  
176 if the minimum available quantity for said agent is greater than a  
177 seventy-two-hour supply, the optometrist may dispense the minimum  
178 available quantity.

179 (g) No optometrist shall delegate to any person the use, application  
180 or prescription of any ocular agent-D or ocular agent-T except that an  
181 optometrist may cause the same to be self-administered by a patient

182 under the care and direction of the optometrist.

183 (h) An optometrist shall refer any patient with iritis or a corneal  
184 ulcer to an ophthalmologist not later than seventy-two hours after  
185 commencement of initial treatment of such condition unless there is  
186 documented substantial improvement of such condition within such  
187 time period.

188 (i) Notwithstanding the provisions of section 52-184c, each  
189 optometrist authorized by this section to practice advanced optometric  
190 care, or to use ocular agents-D or ocular agents-T or both, shall be held  
191 to the same standard of care as ophthalmologists with regard to such  
192 advanced optometric care, the use of such ocular agents-D or ocular  
193 agents-T or both and any other procedures authorized by this section.

194 (j) Each optometrist authorized pursuant to this section to practice  
195 advanced optometric care, or to use ocular agents-D or ocular agents-T  
196 or both, shall post in a conspicuous location in each office waiting  
197 room, a standardized notice stating that said optometrist is authorized  
198 to practice advanced optometric care, or to use ocular agents for  
199 diagnosis or treatment or both, within the scope of his practice.

200 (k) An optometrist engaged in the practice of advanced optometric  
201 care and the nonsurgical treatment of glaucoma shall refer to an  
202 ophthalmologist or other physician, for evaluation, any glaucoma  
203 patient who (1) presents with an intraocular pressure over thirty-five,  
204 (2) presents with the presence of pediatric glaucoma, closed angle  
205 glaucoma or secondary glaucoma or (3) does not have documented  
206 substantial improvement in response to treatment. Nothing in this  
207 subsection shall be construed to prohibit the emergency  
208 administration, prior to referral, of medication otherwise authorized  
209 under this section.

210 (l) Each optometrist authorized pursuant to this section to practice  
211 advanced optometric care shall notify the Department of Public Health  
212 of his intent to engage in such practice. The Commissioner of Public

213 Health shall develop license renewal forms that indicate whether a  
214 person holds himself out as authorized to practice advanced  
215 optometric care.

216 (m) On and after January 1, 2005, no initial license to engage in  
217 optometry shall be issued unless the applicant meets the requirements  
218 of this section regarding the acquisition and use of ocular agents-D and  
219 the requirements of this section regarding the acquisition,  
220 administration, dispensing and prescribing of ocular agents-T. The  
221 provisions of this subsection shall not apply to optometrists licensed in  
222 this state prior to January 1, 2005.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**Statement of Purpose:**

To clarify the requirements for licensure as an optometrist.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*