



General Assembly

January Session, 2007

Raised Bill No. 7159

LCO No. 4003

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Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT UPDATING THE SCOPE OF PRACTICE OF OPTOMETRY.

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

1 Section 1. Subdivision (1) of section 20-127 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

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

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

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

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

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

69 (4) "Ocular agents-D" means: (A) Topically administered agents
70 used for the purpose of diagnosing visual defects, abnormal conditions
71 or the diseases of the human eye and eyelid known generally as
72 cycloplegics not to exceed one per cent, mydriatics other than
73 phenylephrine hydrochloride ten per cent and topical anesthetics,
74 [which] that are administered topically for the examination of the
75 human eye and the analysis of ocular functions; (B) those vision
76 training or optical devices [which] that have been designated drugs for
77 preclearance testing by the federal Food and Drug Administration or
78 similar agency; and (C) fluorescein and similar dyes used in fitting
79 contact lenses. The drugs described in subparagraph (A) of this
80 subdivision may be acquired and used only for diagnostic purposes.
81 Nothing in this subdivision shall be construed to allow an optometrist
82 to acquire or use a controlled substance listed under section 21a-243.

83 (5) "Ocular agents-T" means: (A) Topically administered ophthalmic

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

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

110 (b) Optometrists who were first licensed prior to April 1, 1985, shall
111 be permitted to acquire and use ocular agents-D topically in the
112 practice of optometry only after they have completed a course [which]
113 that (1) consists of a minimum of forty-five classroom hours and fifteen
114 clinic hours, (2) is conducted by an institution accredited by a regional
115 professional accreditation organization recognized or approved by the
116 National Commission on Accrediting or the United States

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

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

149 (d) Optometrists shall be permitted to engage in the practice of

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

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

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

177 (g) (1) An optometrist may delegate to an optometric assistant,
178 optometric technician or appropriately trained person the use or
179 application of any ocular agent in accordance with section 20-138a, or
180 an optometrist may cause the same to be self-administered by a patient
181 under the care and direction of the optometrist.

182 (2) No optometrist shall delegate to any person the authority to
183 prescribe any ocular agent.

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

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

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

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

212 [(l) (j) Each optometrist authorized pursuant to this section to

213 practice advanced optometric care shall notify the Department of
214 Public Health of his intent to engage in such practice. The
215 Commissioner of Public Health shall develop license renewal forms
216 that indicate whether a person holds himself or herself out as
217 authorized to practice advanced optometric care.

218 [(m)] (k) On and after January 1, 2005, no initial license to engage in
219 optometry shall be issued unless the applicant meets the requirements
220 of this section to practice advanced optometric care. The foregoing
221 provision shall not apply to optometrists licensed in this state prior to
222 January 1, 2005.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	20-127(1)

Statement of Purpose:

To update the scope of practice of optometry to reflect advancements in the profession.

[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.]