

1 **SENATE FLOOR VERSION**

2 April 5, 2021

3 ENGROSSED HOUSE
4 BILL NO. 2680

By: Marti and Davis of the
House

5 and

6 Rosino of the Senate

7
8
9 An Act relating to professions and occupations;
10 amending 59 O.S. 2011, Section 581, as last amended
11 by Section 1, Chapter 54, O.S.L. 2020 (59 O.S. Supp.
12 2020, Section 581), which relates to the practice of
13 optometry; modifying scope of practice; and providing
14 an effective date.

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

16 SECTION 1. AMENDATORY 59 O.S. 2011, Section 581, as last
17 amended by Section 1, Chapter 54, O.S.L. 2020 (59 O.S. Supp. 2020,
18 Section 581), is amended to read as follows:

19 Section 581. A. The practice of optometry is defined to be the
20 science and art of examining the human eye and measurement of the
21 powers of vision by the employment of any means, including the use
22 or furnishing of any self-testing device, the use of any
23 computerized or automatic refracting device, including applications
24 designed to be used on a computer or video conferencing via an

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

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

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

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

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

12 SECTION 2. This act shall become effective November 1, 2021.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
14 April 5, 2021 - DO PASS

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