

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1253

5 By: Representative Magie
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For An Act To Be Entitled

8 AN ACT TO AUTHORIZE A LICENSED DISPENSING OPTICIAN TO
9 REFRACT EYES AND DISPENSE EYEGLASSES IN CERTAIN
10 CONDITIONS; AND FOR OTHER PURPOSES.
11

Subtitle

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13 TO AUTHORIZE A LICENSED DISPENSING
14 OPTICIAN TO REFRACT EYES AND DISPENSE
15 EYEGLASSES IN CERTAIN CONDITIONS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 17-89-102(4)(B), concerning the definition
22 of "ophthalmic dispensing", is amended to add an additional subdivision to
23 read as follows:

24 (v) The performance of refracting without a
25 prescription.
26

27 SECTION 2. Arkansas Code § 17-89-102, concerning the definitions
28 concerning ophthalmic dispensers, is amended to add an additional subdivision
29 to read as follows:

30 (8) "Refraction" or "refracting" means the measuring and
31 examining of certain refractive errors of the eyes that may indicate the need
32 for corrective lenses.
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34 SECTION 3. Arkansas Code § 17-89-104(c), concerning the prohibition of
35 the practice of optometry or medicine by a licensed dispensing optician, is
36 amended to read as follows:



1 (c) ~~Nothing in this chapter shall be construed to~~ Except as authorized
 2 by § 17-89-102(4) and § 17-89-409, this chapter does not authorize or permit
 3 any licensed or registered dispensing optician or any other person except a
 4 licensed optometrist or licensed physician skilled in disease of the eye to
 5 undertake or hold himself or herself out as being able:

6 (1) To examine eyes by any objective or subjective method or
 7 exercise eyes;

8 (2) To undertake by any method or means the measurement of the
 9 cornea of the human eye; or

10 (3) To examine, prescribe, diagnose, treat, or correct for
 11 visual deficiency.

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 13 SECTION 4. Arkansas Code Title 17, Chapter 89, Subchapter 4, is
 14 amended to add an additional section to read as follows:

15 17-89-409. Refraction.

16 (a) The Arkansas Board of Dispensing Opticians shall adopt rules
 17 concerning the performance of refraction by a licensed dispensing optician,
 18 including the appropriate education requirements to perform refraction.

19 (b) A licensed dispensing optician shall:

20 (1) Only dispense eyeglasses after performing a refraction if
 21 the patient's visual acuity is correctable to 20/20; and

22 (2) Advise the patient that a refraction is not a complete eye
 23 examination and that the patient should visit a licensed optometrist or
 24 licensed physician skilled in disease of the eye for a complete evaluation
 25 and follow-up care.