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INTERIM STUDY PROPOSAL 2019-045

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

*As Engrossed: H3/6/19*

**A Bill**

HOUSE BILL 1254

5  
6 By: Representative Magie

7 Filed with: House Committee on Public Health, Welfare, and Labor  
8 pursuant to A.C.A. §10-3-217.

**For An Act To Be Entitled**

9  
10 AN ACT TO MODIFY THE DEFINITION OF "OPHTHALMIC  
11 DISPENSING" TO INCLUDE THE PREPARATION AND DISPENSING  
12 OF CONTACT LENSES; AND FOR OTHER PURPOSES.

**Subtitle**

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15 TO MODIFY THE DEFINITION OF "OPHTHALMIC  
16 DISPENSING" TO INCLUDE THE PREPARATION  
17 AND DISPENSING OF CONTACT LENSES.  
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20  
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 17-89-102(4), concerning the definition of  
24 "ophthalmic dispensing", is amended to read as follows:

25 (4)(A) "Ophthalmic dispensing" means the preparation of  
26 laboratory work orders, verification, and dispensing of spectacle lenses,  
27 spectacles, eyeglasses, or parts thereof, or contact lenses to the intended  
28 wearer on a written prescription from a licensed physician skilled in disease  
29 of the eye or from a licensed optometrist.

30 (B) "~~Ophthalmic~~ Ophthalmic dispensing" ~~shall include~~  
31 includes:

32 (i) The measuring, fitting, adapting, and adjusting  
33 of spectacle lenses, spectacles, eyeglasses, or parts thereof to the human  
34 face;

35 (ii) The preparation and delivery of work orders to  
36 laboratory technicians engaged in grinding lenses and fabrication of eyewear;

1 (iii) The verification of the quality of finished  
2 spectacle lenses, spectacles, or eyeglasses; ~~and~~

3 (iv) The adjustment or repair of spectacle frames to  
4 the human face; and

5 (v) The dispensing, selling, or supplying of contact  
6 lenses by a licensed dispensing optician.

7 (C) *The prescribing, adapting, fitting, duplicating,*  
8 ~~*dispensing, or modifying, selling, or supplying of contact lenses for or to*~~  
9 *the human eye is specifically excluded;*

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11 SECTION 2. Arkansas Code Title 17, Chapter 89, Subchapter 4, is  
12 amended to add an additional section to read as follows:

13 17-89-409. Contact lenses.

14 (a) The Arkansas Board of Dispensing Opticians shall adopt rules  
15 concerning the dispensing, selling, and supplying of contact lenses by  
16 licensed dispensing opticians, including establishing appropriate educational  
17 requirements of licensed dispensing opticians.

18 (b) A licensed dispensing optician shall:

19 (1) Dispense contact lenses only upon a written prescription  
20 from a licensed optometrist or licensed physician skilled in disease of the  
21 eye;

22 (2) Advise the intended wearer of the contact lenses at the time  
23 of dispensing to return to the licensed optometrist or licensed physician  
24 skilled in disease of the eye for evaluation and follow-up care;

25 (3) Not fit a generic type of contact lenses or mode of wear for  
26 contact lenses contrary to the type or mode prescribed; and

27 (4) Not duplicate contact lenses solely from previously prepared  
28 contact lenses.

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30 /s/Magie

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33 Referred requested by the Arkansas House of Representatives  
34 Prepared by: JMB/VJF