

1 State of Arkansas *As Engrossed: H4/4/13 S4/9/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 2210

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5 By: Representative S. Malone

6 By: Senator Irvin

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For An Act To Be Entitled

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*AN ACT TO AMEND THE DEFINITION AND THE LAW REGARDING
OPTOMETRY; AND FOR OTHER PURPOSES.*

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Subtitle

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*TO AMEND THE DEFINITION AND THE LAW
REGARDING OPTOMETRY.*

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 *SECTION 1. Arkansas Code § 17-90-101(a)(3), concerning the definition*
21 *of "practice of optometry", is amended to read as follows:*

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*(3)(A) The "practice of optometry" shall include, but not be
limited to, the prescribing and sale of eyeglasses and contact lenses, the
prescribing and administering of all oral and topical drugs for the diagnosis
or treatment only of conditions of the eye, lids, and adnexa ~~except those~~
~~listed in Schedules I and II of the Uniform Controlled Substances Act, §§ 5-~~
~~64-101—5-64-510~~, and the prescribing and administering of epinephrine,
benadryl, or other comparable medication for the emergency treatment of
anaphylaxis or anaphylactic reactions.*

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*(B) All licensed optometrists are prohibited from using
ophthalmic lasers for surgical procedures, ~~from~~ performing cataract surgery,
~~from~~ performing radial keratotomy surgery, and ~~from~~ selling prescription
drugs.*

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*(C)(i) Optometrists are excluded from possessing,
administering, or prescribing those pharmaceutical agents listed in Schedules
I and II of the Uniform Controlled Substances Act, § 5-64-101 et seq., except*



1 hydrocodone combination drugs, regardless of their schedule, in combination
 2 with oral analgesic drugs.

3 (ii) A prescription written by an optometrist for
 4 hydrocodone combination drugs, regardless of their schedule, in combination
 5 with oral analgesic drugs, is limited to no more than seventy-two (72) hours
 6 and no authorized refills

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 8 SECTION 2. Arkansas Code § 17-90-403 is amended to read as follows:
 9 17-90-403. Authority to possess, administer, and prescribe.

10 (a) ~~One who~~ A person may possess, administer, and prescribe
 11 pharmaceutical agents for the diagnosis or treatment of conditions involving
 12 only the eye, lids, or adnexa if the person:

13 (1) ~~is~~ Is engaged in the practice of optometry ~~as a profession~~
 14 as defined in § 17-90-101; ~~and who~~

15 (2) ~~has~~ Has the education and professional competence as
 16 determined by the State Board of Optometry; ~~and who~~

17 (3) ~~has~~ Has satisfied the educational requirements established
 18 by the State Board of Optometry from a college or university accredited by a
 19 regional or professional accreditation organization ~~which~~ that is recognized
 20 or approved by the ~~Council on Post-Secondary Accreditation~~ Council for Higher
 21 Education Accreditation, the United States Department of Education, or the
 22 ~~Arkansas Board of Higher Education~~ Arkansas Higher Education Coordinating
 23 Board; and

24 (4) ~~has~~ Has met the requirements of § 17-90-401 ~~is authorized to~~
 25 ~~possess, administer, and prescribe pharmaceutical agents for the diagnosis or~~
 26 ~~treatment only of conditions of the eye, lids, or adnexa.~~

27 (b)(1) ~~except those~~ Optometrists shall not possess, administer, or
 28 prescribe the pharmaceutical agents listed in Schedules I and II of the
 29 Uniform Controlled Substances Act, ~~§§ 5-64-101—5-64-510~~ § 5-64-101 et seq.,
 30 except hydrocodone combination drugs, regardless of their schedule, in
 31 combination with oral analgesic drugs.

32 (2) A prescription written by an optometrist for hydrocodone
 33 combination drugs, regardless of their schedule, in combination with oral
 34 analgesic drugs, is limited to no more than seventy-two (72) hours and no
 35 authorized refills.

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/s/S. Malone

APPROVED: 04/18/2013