INTERIM STUDY PROPOSAL 2017-132

State of Arkansas
91st General Assembly
Third Extraordinary Session, 2018

By: Representative Magie

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

FOR AN ACT TO BE ENTITLED

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

SUBTITLE

TO AUTHORIZE A LICENSED DISPENSING OPTICIAN TO REFRACT EYES AND DISPENSE EYEGLASSES IN CERTAIN CONDITIONS.

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

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

(v) The performance of refracting without a prescription.

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

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

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

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

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

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

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

17-89-409. Refraction.

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

(b) A licensed dispensing optician shall:

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

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