

INTERIM STUDY PROPOSAL 2019-044

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

A Bill

HOUSE BILL 1253

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

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15 **Subtitle**

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

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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)(B), concerning the definition
24 of "ophthalmic dispensing", is amended to add an additional subdivision to
25 read as follows:

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

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

32 (8) "Refraction" or "refracting" means the measuring and
33 examining of certain refractive errors of the eyes that may indicate the need
34 for corrective lenses.

1 SECTION 3. Arkansas Code § 17-89-104(c), concerning the prohibition of
2 the practice of optometry or medicine by a licensed dispensing optician, is
3 amended to read as follows:

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

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

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

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

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

18 17-89-409. Refraction.

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

22 (b) A licensed dispensing optician shall:

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

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

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31 Referred requested by the Arkansas House of Representatives

32 Prepared by: JMB/VJF