

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: H4/4/13

# A Bill

HOUSE BILL 2210

5 By: Representative S. Malone  
6

## For An Act To Be Entitled

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

### Subtitle

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

14  
15  
16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

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

21 *(3)(A) The "practice of optometry" shall include, but not be*  
22 *limited to, the prescribing and sale of eyeglasses and contact lenses, the*  
23 *prescribing and administering of all oral and topical drugs for the diagnosis*  
24 *or treatment only of conditions of the eye, lids, and adnexa ~~except those~~*  
25 *~~listed in Schedules I and II of the Uniform Controlled Substances Act, §§ 5-~~*  
26 *~~64-101—5-64-510,~~ and the prescribing and administering of epinephrine,*  
27 *benadryl, or other comparable medication for the emergency treatment of*  
28 *anaphylaxis or anaphylactic reactions.*

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

33 *(C) Optometrists are excluded from possessing,*  
34 *administering, or prescribing those pharmaceutical agents listed in Schedules*  
35 *I and II of the Uniform Controlled Substances Act, § 5-64-101 et seq., except*  
36 *hydrocodone combination drugs, regardless of their schedule, in combination*



1 with oral analgesic drugs.

2  
3 SECTION 2. Arkansas Code § 17-90-403 is amended to read as follows:  
4 17-90-403. Authority to possess, administer, and prescribe.

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

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

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

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

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

22 (b) ~~except those~~ Optometrists shall not possess, administer, or  
23 prescribe the pharmaceutical agents listed in Schedules I and II of the  
24 Uniform Controlled Substances Act, ~~§§ 5-64-101—5-64-510~~ § 5-64-101 et seq.,  
25 except hydrocodone combination drugs in combination with oral analgesic  
26 drugs, regardless of the schedule level of the hydrocodone combination drugs.

27  
28  
29  
30 /s/S. Malone