

**SENATE . . . . . No. 560**

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By Mr. Bachrach, a petition (accompanied by bill, Senate, No. 560) of George Bachrach for legislation to authorize the use of diagnostic pharmaceutical agents by certain optometrists. Health Care.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-three.

**AN ACT AUTHORIZING THE USE OF DIAGNOSTIC PHARMACEUTICAL  
AGENTS BY CERTAIN OPTOMETRISTS.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 13 of the General Laws is hereby  
2 amended by striking out section 16, as amended by section 5  
3 of chapter 1099 of the acts of 1971, and inserting in place  
4 thereof the following section: —

5 *Section 16.* There shall be a board of registration in optom-  
6 etry, in the three following sections called the board, consist-  
7 ing of five members, citizens of the commonwealth, four of  
8 whom shall have been actually engaged in the practice of op-  
9 tometry as defined in section sixty-six of chapter one hun-  
10 dred and twelve for the five years next preceding their ap-  
11 pointment, and one of whom shall be a representative of the  
12 public, subject to the provisions of section nine B. One mem-  
13 ber shall annually in September, be appointed by the governor  
14 for five years. No member thereof shall be a stockholder of  
15 any school of optometry, a member of the faculty or on the  
16 board of trustees thereof, or financially interested in a manu-  
17 facturing or wholesale optical business. No registered optom-  
18 etrist shall be appointed to the board unless he shall have been  
19 certified for use of diagnostic pharmaceutical agents under  
20 the provisions of section sixty-six A of chapter one hundred  
21 twelve.

1 SECTION 2. Chapter 112 of the General Laws is hereby  
2 amended by striking out section 66, as appearing in section 2

3 of chapter 339 of the acts of 1934, and inserting in place there-  
4 of the following two sections: —

5 *Section 66.* The practice of optometry, as referred to in  
6 section sixty-seven to seventy-three, inclusive, is hereby de-  
7 fined to be the employment of any method or means, other  
8 than the use of drugs except as authorized under the provi-  
9 sions of section sixty-six A, for the diagnosis of any optical  
10 defect, deficiency or deformity of the human eye, or visual or  
11 muscular anomaly of the visual system, or the adaptation or  
12 prescribing of lenses, prisms or ocular exercises for the correc-  
13 tion, relief or aid of the visual functions.

14 *Section 66A.* Any registered optometrist qualifying by ex-  
15 amination for practice under the provisions of section sixty-  
16 eight subsequent to January first nineteen hundred and eighty-  
17 three or duly certified in accordance with the provisions of  
18 section sixty-eight A may for the purpose of conducting an  
19 examination of the eye utilize the topical application to the  
20 eye of diagnostic pharmaceutical agents.

21 For the purposes of this section and sections sixty-eight and  
22 sixty-eight A the term "diagnostic pharmaceutical agents"  
23 shall mean any non-narcotic topical anesthetic, mydriatic, or  
24 cycloplegic drug suitable for ocular examination procedures.

1 SECTION 3. The first paragraph of section 68 of said chap-  
2 ter 112, as amended by section 22 of chapter 925 of the acts  
3 of 1973 is hereby further amended by striking out the first  
4 sentence and inserting in place thereof the following sen-  
5 tence: — "No person unless registered to practice optometry  
6 prior to January first nineteen hundred and eighty-three or  
7 as otherwise provided in this section shall practice optometry  
8 unless he shall have passed an examination conducted by the  
9 board in theoretic, practical and physiological optics in theo-  
10 retic and practical optometry and in the anatomy and physi-  
11 ology of the eye; shall have demonstrated his ability to prop-  
12 erly use the ophthalmoscope, the retinoscope, the perimeter  
13 and other scientific instruments and methods used in the prac-  
14 tice of optometry; shall have passed the examination pro-  
15 vided for in section sixty-eight A and shall have received  
16 a certificate of registration which shall have conspicuously  
17 printed on its face the definition of optometry set forth in

18 section sixty-six and sixty-six A.

1 SECTION 4. Said chapter 112 is hereby further amended by  
2 inserting after section 68 the following section: —

3 *Section 68A.* The board of registration in optometry shall  
4 annually administer an examination designed to measure the  
5 qualifications necessary in order to utilize safely the topi-  
6 cal application to the eye of the diagnostic pharmaceutical  
7 agents provided for in section sixty-six A. Said examination  
8 shall be held in conjunction with the examination provided  
9 for in section sixty-eight and shall include any portion of the  
10 annual examination prepared by the National Board of Ex-  
11 aminers in Optometry which covers the subject matter of  
12 pharmacology.

13 Such examination shall be open upon application to any op-  
14 tometrist registered under the provisions of this chapter and  
15 to any person who meets the qualifications for examination  
16 under section sixty-eight; provided, however, that each ap-  
17 plicant shall furnish to the Board satisfactory evidence of the  
18 completion of a qualifying course of study relating to the topi-  
19 cal application to the eye of diagnostic pharmaceutical agents.  
20 A qualifying course of study shall be one given by a duly  
21 accredited medical school or college of optometry. The Board  
22 shall, from time to time, adopt rules and regulations prescrib-  
23 ing the content of said course of study.

24 The board shall transmit to all successful applicants a cer-  
25 tificate of his qualifications for the practice of optometry in  
26 accordance with the provisions of section sixty-six A.

1 SECTION 5. Section one of this Act shall take effect on Janu-  
2 ary 1, 1983 and Sections two, three and four shall take effect  
3 upon passage.

