

By Mr. Piro of Somerville, petition of Vincent J. Piro and Alfred A. Minahan, Jr., for legislation to authorize the use of diagnostic pharmaceutical agents by certain optometrists. Health Care.

The Commonwealth of Massachusetts

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

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 amend-
2 ed by striking out section 16, as amended by section 5 of chapter
3 1099 of the acts of 1971, and inserting in place thereof the follow-
4 ing section:—

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

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

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

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

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

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

1 SECTION 3. The first paragraph of section 68 of said chapter
2 112, as amended by section 22 of chapter 925 of the acts of 1973, is
3 hereby further amended by striking out the first sentence and
4 inserting in place thereof the following sentence: — "No person
5 unless registered to practice optometry prior to January first
6 nineteen hundred and eighty-two or as otherwise provided in this
7 section shall practice optometry unless he shall have passed an
8 examination conducted by the board in theoretic, practical and
9 physiological optics in theoretic and practical optometry and in
10 the anatomy and physiology of the eye; shall have demonstrated
11 his ability to properly use the ophthalmoscope, the retinoscope,
12 the perimeter and other scientific instruments and methods used in
13 the practice of optometry; shall have passed the examination
14 provided for in section sixty-eight A and shall have received a
15 certificate of registration which shall have conspicuously printed
16 on its face the definition of optometry set forth in section sixty-six
17 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 an-
4 nually administer an examination designed to measure the qualifi-
5 cations necessary in order to utilize safely the topical application
6 to the eye of the diagnostic pharmaceutical agents provided for in
7 section sixty-six A. Said examination shall be held in conjunction
8 with the examination provided for in section sixty-eight and shall
9 include any portion of the annual examination prepared by the
10 National Board of Examiners in Optometry which covers the
11 subject matter of pharmacology.

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

22 The board shall transmit to all successful applicants a certificate
23 of his qualification for the practice of optometry in accordance
24 with the provisions of section sixty-six A.

1 SECTION 5. Section one of this Act shall take effect on Janu-
2 ary 1, 1982 and Sections two, three and four shall take effect upon
3 passage.

