

By Mr. Reinstein of Revere, petition of William G. Reinstein relative to optometric patient care. Health Care.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT RELATIVE TO OPTOMETRIC PATIENT CARE.

*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. Section 66 of Chapter 112 of the Massachusetts  
2 General Laws, as appearing in the 1992 Official Edition, is hereby  
3 amended by striking everything in lines three through eight inclu-  
4 sive after the words "or means" in line three and by inserting in  
5 place thereof the following: — . . . for the diagnosis, prevention,  
6 correction, management and/or treatment of optical deficiencies.  
7 optical deformities, visual anomalies, muscular anomalies, ocular  
8 diseases and ocular abnormalities of the human eye and adjacent  
9 tissue, including removal of superficial foreign bodies and mis-  
10 aligned eyelashes, by utilization of pharmaceutical agents, pre-  
11 scribing, adapting and application of ophthalmic lenses, devices  
12 containing lenses, prisms, contact lenses, orthoptics, vision  
13 therapy, prosthetic devices and other optical aids and by using  
14 corrective procedures to preserve, restore, or improve vision, con-  
15 sistent with Section 66A and Section 66B, as established by this  
16 act.

1 SECTION 2. Chapter 112 of the Massachusetts General Laws,  
2 as appearing in the 1992 Official Edition, is hereby amended by  
3 adding a new section: —

4 Section 66B. Use of therapeutic pharmaceutical agents by  
5 registered optometrists.

6 Any registered optometrist, qualified by examination for prac-  
7 tice under the provisions of section sixty-eight subsequent to  
8 January first, nineteen hundred and ninety four and duly certified

9 in accordance with the provisions of section sixty-eight B may for  
10 the purpose of preventing correcting, managing and/or treating  
11 ocular diseases or abnormalities utilize and prescribe therapeutic  
12 pharmaceutical agents, provided that for the purposes of this act  
13 pharmaceutical agents shall mean therapeutic pharmaceutical  
14 agents as defined in this section. Provided further, that nothing in  
15 this section may be construed to permit optometric use of thera-  
16 peutic pharmaceutical agents which are: (a) controlled substances  
17 as described by United States Code, Title 21, Section 812 or in  
18 Chapter 94C of the Massachusetts General Laws except for those  
19 pharmaceuticals listed in schedule VI; (b) any pharmaceutical  
20 agent administered by subdermal injection, intramuscular injec-  
21 tion, intravenous injection, subcutaneous injection or retrobulbar  
22 injections; (c) any pharmaceutical agent for the specific treatment  
23 of systemic disease, and (d) invasive surgical procedures.

24 If during the course of examining or treating a patient with the  
25 aid of a diagnostic or therapeutic pharmaceutical agent an  
26 optometrist, exercising professional judgment and that degree of  
27 expertise, care and knowledge ordinarily possessed and exercised  
28 by optometrists under like circumstances, determines the exist-  
29 ence of the signs of previously unevaluated disease which  
30 requires treatment not included in the scope of optometric practice  
31 as defined in section sixty-six, the optometrist shall refer the  
32 patient to a licensed physician or an otherwise qualified health  
33 care practitioner.

34 Notwithstanding any other provisions of this act optometrists  
35 may utilize and prescribe non-legend agents.

36 For the purposes of this section and section sixty-eight B, as  
37 established by this act, the term "therapeutic pharmaceutical  
38 agents" shall mean those topical pharmaceutical agents in  
39 schedule VI required to diagnose, prevent, manage and/or treat  
40 abnormal ocular conditions or diseases, as defined in Section 66  
41 of Chapter 112, excluding glaucoma.

1 SECTION 3. Chapter 112 of the Massachusetts General Laws,  
2 as appearing in the 1992 Official Edition, is hereby amended by  
3 adding a new section: —

4 Section 68B. Examination for use of therapeutic agents.

5 The board of registration in optometry shall administer an  
6 examination designed to measure the qualifications necessary in  
7 order to safely utilize the ophthalmic application of therapeutic  
8 pharmaceutical as provided in section sixty-six B. Said examina-  
9 tion is required to be held in conjunction with the examination  
10 provided in sections sixty-eight and sixty-eight B. Said examina-  
11 tion is required to be held in conjunction with the examination  
12 provided in sections sixty-eight and sixty-eight A and shall  
13 include any portion of the National Board or Examiners in  
14 Optometry examination or other appropriate examination which  
15 covers the subject matter of therapeutic pharmaceutical agents.

16 Said examination shall be open upon application to any  
17 optometrist registered under the provisions of this chapter and to  
18 any person who meets the qualifications for examination under  
19 section sixty-eight or sixty-eight A, provided however, that each  
20 such applicant shall furnish to the board evidence of the satisfac-  
21 tory completion of 90 hours of didactic instruction and 30 hours  
22 of supervised clinical education relating to the use of therapeutic  
23 pharmaceutical by a duly accredited medical school or college of  
24 optometry and fulfilling the guidelines and requirements of the  
25 board of registration.

26 The board shall transmit to all successful applicants a certifi-  
27 cate of qualification in accordance with the provisions of section  
28 sixty-six B.

1 SECTION 4. Section 9 of Chapter 94C of the Massachusetts  
2 General Laws, as appearing in the 1992 Official Edition, is hereby  
3 amended in subsection (e) by inserting in line seventy-six after the  
4 word "physician," the following words: — or any optometrist  
5 authorized to write in schedule VI according to the provisions of  
6 section 66B of Chapter 112 of the Massachusetts General Laws.

