

Senate BILL NO. *105*

INTRODUCED BY *Rasmussen Peterson Shinnick*
E. Smith Brown Roberts Berger N. Smith

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE THE USE OF DRUGS FOR DIAGNOSTIC PURPOSES WITHIN THE DEFINITION OF THE PRACTICE OF OPTOMETRY AND TO REQUIRE A COURSE IN PHARMACOLOGY BY OPTOMETRISTS FOR THE USE OF DIAGNOSTIC AGENTS; AMENDING 66-1301, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 66-1301, R.C.M. 1947, is amended to read as follows:

"66-1301. Practice of optometry defined. (1) The practice of optometry is the profession constituting the art and science of visual care and is hereby defined to be any one of the following acts:

1. (a) ~~The optometric~~ ~~the~~ examination or optometric diagnosis of all of those physiological or anatomical parts or functions which consummate the process of human vision to ascertain the presence therein of abnormal conditions or functions which may be optometrically diagnosed, corrected, remedied, or relieved; ;

2. (b) ~~The the~~ employment of any optometric means, excluding the use of ~~drugs or~~ surgery, for the purpose of detecting any condition of the process of vision--~~or--the~~

~~effects of any condition of the process of vision, which may have any significance in a complete optometric diagnosis eye and vision examination including the employment and administration of drugs topically applied for examination purposes, including cycloplegics, mydriatics, topical anesthetics, dyes such as fluorescein, and for emergency use only, miotics;~~

~~3. (c) The the~~ application or prescription of ophthalmic lenses, contact lenses, prisms, orthoptics, visual training, any physical, mechanical, or physiological therapy, and the furnishing or application of any prosthetic or therapeutic devices for the correction or relief of visual anomalies excluding ~~the use of drugs or~~ surgery.

~~(2) Nothing in this section allows optometrists to treat diseases of the eye."~~

Section 2. There is a new R.C.M. section numbered 66-1301.2 that reads as follows:

66-1301.2. Use of drugs by optometrist not subject to pharmacy law. The use of drugs by a licensed optometrist for examination purposes as stated in 66-1301 is not subject to Title 66, chapter 15.

Section 3. There is a new R.C.M. section numbered 66-1305.1 that reads as follows:

66-1305.1. Course in pharmacology required. (1) In addition to the requirements of 66-1305, each person

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1 desiring to commence the the practice of optometry or employ
2 diagnostic agents shall satisfactorily complete a course in
3 pharmacology as it applies to optometry, with particular
4 emphasis on the topical application of diagnostic agents to
5 the eye for the purpose of examination of the human eye and
6 the analysis of ocular functions.

7 (2) The course referred to in subsection (1) must be
8 conducted by an institution accredited by a regional or
9 professional accreditation organization which is recognized
10 or approved by the national commission on accrediting or the
11 United States commissioner of education. The course must
12 also be approved by the board.

13 (3) The board shall provide for an examination in
14 competency in the use of diagnostic drugs and shall issue a
15 certificate to those applicants who pass such examination.

-End-

Approved by Committee
on Public Health, Welfare
& Safety

SENATE BILL NO. 105

INTRODUCED BY RASMUSSEN, PETERSON, HIMSL,
E. SMITH, BROWN, ROBERTS, BERGREN, R. SMITH

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and science of visual care and is hereby defined to be any
one of the following acts:

1. ~~(a)~~ The ~~optometric~~ OPTOMETRIC examination or
optometric diagnosis of all of those physiological or
anatomical parts or functions which consummate the process
of human vision to ascertain the presence therein of
abnormal conditions or functions which may be optometrically
diagnosed, corrected, remedied, or relieved; ~~1~~

2. ~~(b)~~ The ~~the~~ employment of any optometric OPTOMETRIC
means, excluding the use of drugs--or surgery, for the

purpose of detecting any condition of the process of vision,
~~or the effects of any condition of the process of vision,~~
which may have any significance in a complete optometric
OPTOMETRIC diagnosis, eye and vision examination including
the employment and administration of drugs topically applied
for examination purposes, including LIMITED TO,
cycloplegics, mydriatics, topical anesthetics, dyes such as
flourescein, and for emergency use only; miotics;

3. ~~(c)~~ The ~~the~~ application or prescription of
ophthalmic lenses, contact lenses, prisms, orthoptics,
visual training, any physical, mechanical, or physiological
therapy, and the furnishing or application of any prosthetic
or therapeutic devices for the correction or relief of
visual anomalies excluding ~~the use of drugs or surgery.~~

(2) Nothing in this section allows optometrists to
treat diseases of the eye."

Section 2. There is a new R.C.M. section numbered
66-1301.2 that reads as follows:

66-1301.2. Use of drugs by optometrist not subject to
pharmacy law. The use of drugs by a licensed optometrist for
examination purposes as stated in 66-1301 is not subject to
Title 66, chapter 15.

Section 3. There is a new R.C.M. section numbered
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66-1305.1. Course in pharmacology required. (1) In

1 addition to the requirements of 66-1305, each person
2 desiring to commence the the practice of optometry or employ
3 diagnostic-agents shall satisfactorily complete a course in
4 pharmacology as it applies to optometry, with particular
5 emphasis on the topical application of diagnostic agents to
6 the eye for the purpose of examination of the human eye and
7 the analysis of ocular functions.

8 ~~(2) A PERSON PRESENTLY LICENSED TO PRACTICE OPTOMETRY~~
9 ~~WHO WISHES TO EMPLOY DIAGNOSTIC AGENTS MUST SATISFACTORILY~~
10 ~~COMPLETE A COURSE IN PHARMACOLOGY REFERRED TO IN SUBSECTION~~
11 ~~(1) AND MUST PASS AN EXAMINATION AS PROVIDED IN SUBSECTION~~
12 ~~(4).~~

13 ~~(2)(3)~~ The course referred to in subsection (1) must
14 be conducted by an institution accredited by a regional or
15 professional accreditation organization which is recognized
16 or approved by the national commission on accrediting or the
17 United States commissioner of education. The course must
18 also be approved by the board.

19 ~~(3)(4)~~ The board shall provide for an examination in
20 competency in the use of diagnostic drugs and shall issue a
21 certificate to those applicants who pass such examination.

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Section 1. Section 66-1301, R.C.M. 1947, is amended to read as follows:

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1*(a) The-optometric the OPTOMETRIC examination or optometric diagnosis of all of those physiological or anatomical parts or functions which consummate the process of human vision to ascertain the presence therein of abnormal conditions or functions which may be optometrically diagnosed, corrected, remedied, or relieved;

2*(b) The the employment of any optometric OPTOMETRIC means, excluding the use of drugs--or surgery, for the

purpose of detecting any condition of the process of vision, or-the-effects-of-any-condition-of-the--process--of--vision, which may have any significance in a complete optometric OPTOMETRIC diagnosis, eye and vision examination including the employment and administration of drugs topically applied for examination purposes, including LIMITED IQ, cycloplegics, mydriatics, topical anesthetics, dyes such as fluorescein, and for emergency use only, miotics;

3*(c) The the application or prescription of ophthalmic lenses, contact lenses, prisms, orthoptics, visual training, any physical, mechanical, or physiological therapy, and the furnishing or application of any prosthetic or therapeutic devices for the correction or relief of visual anomalies excluding the-use-of-drugs-or surgery.

(2) Nothing in this section allows optometrists to treat diseases of the eye."

Section 2. There is a new R.C.M. section numbered 66-1301.2 that reads as follows:

66-1301.2. Use of drugs by optometrist not-subject-to pharmacy-law. The use of drugs by a licensed optometrist for examination purposes as stated in 66-1301 is not subject--to PROHIBITED BY Title 66, chapter 15.

Section 3. There is a new R.C.M. section numbered 66-1305.1 that reads as follows:

66-1305.1. Course in pharmacology required. (1) In

1 addition to the requirements of 66-1305, each person
2 desiring to commence the the practice of optometry or employ
3 diagnostic-agents shall satisfactorily complete a course in
4 pharmacology as it applies to optometry, INCLUDING A MINIMUM
5 OF 20 HOURS OF CLINICAL TRAINING, with particular emphasis
6 on the topical application of diagnostic agents to the eye
7 for the purpose of examination of the human eye and the
8 analysis of ocular functions.

9 (2) A PERSON PRESENTLY LICENSED TO PRACTICE OPTOMETRY
10 WHO WISHES TO EMPLOY DIAGNOSTIC AGENTS MUST SATISFACTORILY
11 COMPLETE A COURSE IN PHARMACOLOGY REFERRED TO IN SUBSECTION
12 (1) AND MUST PASS AN EXAMINATION AS PROVIDED IN SUBSECTION
13 (4).

14 ~~(2)(1)~~ The course referred to in subsection (1) must
15 be conducted by an institution accredited by a regional or
16 professional accreditation organization which is recognized
17 or approved by the national commission on accrediting or the
18 United States commissioner of education. The course must
19 also be approved by the board.

20 ~~(3)(4)~~ The board shall provide for an examination in
21 competency in the use of diagnostic drugs and shall issue a
22 certificate to those applicants who pass such examination.

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anatomical parts or functions which consummate the process
of human vision to ascertain the presence therein of
abnormal conditions or functions which may be optometrically
diagnosed, corrected, remedied, or relieved; i

2. (b) ~~The the~~ employment of any ~~optometric~~ OPTOMETRIC
means, excluding the use of ~~drugs or~~ surgery, for the

purpose of detecting any condition of the process of vision,
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3. (c) ~~The the~~ application or prescription of
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(2) Nothing in this section allows optometrists to
treat diseases of the eye."

Section 2. There is a new R.C.M. section numbered
66-1301.2 that reads as follows:

66-1301.2. Use of drugs by optometrist ~~not subject to~~
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THIRD READING

SECOND PRINTING

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