

SENATE BILL 143

Introduced by McLane, et al.

1/16	Introduced
1/16	Referred to Public Health, Welfare & Safety
1/30	Hearing
2/06	Committee Report--Bill Passed as Amended
2/08	2nd Reading Passed
2/10	3rd Reading Passed

Transmitted to House

2/21	Referred to Human Services & Aging
3/06	Hearing
3/15	Tabled in Committee
3/27	Motion Failed To Take From Committee (Motion Required Three-fifths Vote of Approval in Order to Pass) Died in Committee

1 *Senate* BILL NO. 143
 2 INTRODUCED BY *Sen. Terry McLean, Rep. Susan Bush, Rep. Roth*
 3 *Sen. Dineen, Rep. Brady, Rep. Dwyer, Rep. Dargatzis, Rep. Gidycz,*
 4 *Rep. Rasmussen, Rep. Dwyer, Rep. Patrick, Rep. Steele, Rep. Hansen*
 5 *Montana*
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE RESTRICTIONS
 7 ON THE USE OF CERTAIN DRUGS BY OPTOMETRISTS; TO AUTHORIZE
 8 OPTOMETRISTS, UPON COMPLETION OF A PRESCRIBED COURSE, TO USE
 9 THERAPEUTIC PHARMACEUTICAL AGENTS TO TREAT GLAUCOMA; AND
 10 AMENDING SECTION 37-10-101, MCA."

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

12 **Section 1.** Section 37-10-101, MCA, is amended to read:

13 **"37-10-101. Definitions -- practice of optometry. (1)**

14 The practice of optometry is the profession constituting the
 15 art and science of visual care and is hereby defined to be
 16 any one of the following acts:

17 (a) the optometric examination or optometric diagnosis
 18 of all of those physiological or anatomical parts or
 19 functions which consummate the process of human vision to
 20 ascertain the presence therein of abnormal conditions or
 21 functions which may be optometrically diagnosed, corrected,
 22 remedied, or relieved;

23 (b) the employment of any optometric means, excluding
 24 the use of surgery, for the purpose of detecting any
 25 condition of the process of vision which may have any
 significance in a complete optometric eye and vision

1 examination, including the employment and administration of
 2 drugs topically applied for examination purposes, limited to
 3 cycloplegics, mydriatics, topical anesthetics, dyes such as
 4 fluorescein, and for emergency use only, miotics;

5 (c) the application or prescription of ophthalmic
 6 lenses, contact lenses, prisms, orthoptics, visual training,
 7 any physical, mechanical, or physiological therapy, and the
 8 furnishing or application of any prosthetic or therapeutic
 9 devices for the correction or relief of visual anomalies,
 10 excluding surgery;

11 (d) the administration, dispensation, and prescription
 12 of the oral analgesics codeine, propoxyphene, hydrocodone,
 13 and dihydrocodeine, alone or in combination with
 14 nonscheduled or nonregulated drugs; and

15 (e) the administration, dispensation, and prescription
 16 of those topical drugs, ~~not including corticosteroids,~~
 17 approved by the board for use in:

18 (i) ocular treatment limited to the anterior segment
 19 of the eye and adnexa; and

20 (ii) treatment of glaucoma subject to the provisions of
 21 [section 2]. Glaucoma may not be treated.

22 (2) Nothing in subsection (1) prohibits an optometrist
 23 from removing from the eye or adnexa a foreign body that is
 24 not intraocular.

25 (3) Unless the context requires otherwise, in this

1 chapter:

2 (a) "board" means the board of optometrists provided
3 for in 2-15-1846; and

4 (b) "department" means the department of commerce
5 provided for in Title 2, chapter 15, part 18."

6 **Section 2. Course in treatment of glaucoma required.**

7 A person licensed to practice optometry and authorized to
8 use therapeutic pharmaceutical agents may employ such agents
9 in the treatment of glaucoma upon successful completion of a
10 board-approved course in the treatment of glaucoma.

11 **Section 3. Codification instruction.** [Section 2] is
12 intended to be codified as an integral part of Title 37,
13 chapter 10, and the provisions of Title 37, chapter 10,
14 apply to [section 2].

15 **Section 4. Extension of authority.** Any existing
16 authority to make rules on the subject of the provisions of
17 [this act] is extended to the provisions of [this act].

-End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

SENATE BILL NO. 143

INTRODUCED BY MCLANE, ANDERSON, BECK, ROTH, GIACOMETTO,
ADDY, MENAHAN, GRADY, RASMUSSEN, LYNCH, DRISCOLL,
BISHOP, SWYSGOOD, EUDAILY, HANSEN

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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;

(b) the employment of any optometric means, excluding
the use of surgery, for the purpose of detecting any

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

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lenses, contact lenses, prisms, orthoptics, visual training,
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(d) the administration, dispensation, and prescription
of the oral analgesics codeine, propoxyphene, hydrocodone,
and dihydrocodeine, alone or in combination with
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of those topical drugs, ~~not including corticosteroids,~~
approved by the board for use in:

(i) ocular treatment limited to the anterior segment
of the eye and adnexa; and

(ii) treatment of PRIMARY OPEN-ANGLE glaucoma subject
to the provisions of [section 2]. ~~Glaucoma may not be~~
~~treated.~~

(2) Nothing in subsection (1) prohibits an optometrist

1 from removing from the eye or adnexa a foreign body that is
2 not intraocular.

3 (3) Unless the context requires otherwise, in this
4 chapter:

5 (a) "board" means the board of optometrists provided
6 for in 2-15-1846; and

7 (b) "department" means the department of commerce
8 provided for in Title 2, chapter 15, part 18."

9 NEW SECTION. Section 2. Course in treatment of
10 glaucoma required. A person licensed to practice optometry
11 and authorized to use therapeutic pharmaceutical agents may
12 employ such agents in the treatment of PRIMARY OPEN-ANGLE
13 glaucoma upon successful completion of a board-approved
14 course in the treatment of PRIMARY OPEN-ANGLE glaucoma.

15 NEW SECTION. Section 3. Codification instruction.
16 [Section 2] is intended to be codified as an integral part
17 of Title 37, chapter 10, and the provisions of Title 37,
18 chapter 10, apply to [section 2].

19 NEW SECTION. Section 4. Extension of authority. Any
20 existing authority to make rules on the subject of the
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22 [this act].

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