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~~HOUSE~~ BILL NO. 359

INTRODUCED BY Simpkins

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE LICENSURE OF OPTOMETRISTS BASED ON ENDORSEMENT OF CREDENTIALS; CHANGING RECIPROCITY PROVISIONS; AMENDING SECTIONS 37-10-304 AND 37-10-308, MCA; AND REPEALING SECTION 37-10-303, MCA."

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

NEW SECTION. **Section 1. Licensure by endorsement.** An applicant who satisfies the requirements of this section may be granted a certificate of registration at the discretion of the board without examination. An applicant who meets the qualifications set forth in 37-10-302 may request licensure based on the applicant's credentials as long as the applicant:

- (1) files an application under oath on forms supplied by the board;
- (2) furnishes satisfactory proof to the board that the applicant has been licensed by examination in another state that has qualifications equal to or exceeding those required in this state;
- (3) provides proof to the board that the applicant possesses a doctor of optometry degree from a school or college approved and accredited by the board and that the degree was obtained after completion of a course of study as required in 37-10-302; and
- (4) has been actively engaged in the practice of optometry in any state or in federal service for 5 consecutive years immediately prior to the year in which application is made.

**Section 2.** Section 37-10-304, MCA, is amended to read:

**"37-10-304. Course in use of diagnostic and therapeutic drugs required.** (1) (a) In addition to the requirements of 37-10-302 ~~or 37-10-303, whichever is applicable~~, each person desiring to commence the practice of optometry shall satisfactorily complete a course prescribed by the board of medical examiners, with consultation and approval by the board of optometrists, with particular emphasis on the topical application of diagnostic agents to the eye for the purpose of examination of the human eye and the analysis of ocular functions.

(b) A person presently licensed to practice optometry who wishes to employ diagnostic agents

1 ~~must~~ is required to satisfactorily complete a course referred to in subsection (1)(a) and ~~must~~ is required to  
 2 pass an examination as provided in subsection (1)(d).

3 (c) The course referred to in subsection (1)(a) must be conducted by an institution accredited by  
 4 a regional or professional accreditation organization ~~which~~ that is recognized or approved by the national  
 5 commission on accrediting or the United States commissioner of education. The course must also be  
 6 approved by the board.

7 (d) The board shall provide for an examination in competency in the use of diagnostic drugs and  
 8 shall issue a certificate to those applicants who pass ~~such~~ the examination.

9 (2) (a) In addition to the requirements of 37-10-302 ~~or 37-10-303, whichever is applicable~~, each  
 10 person desiring to commence the practice of optometry shall:

11 (i) pass an examination, of the international association of boards of examiners in optometry, on  
 12 the diagnosis, treatment, and management of ocular disease; or

13 (ii) take a course and pass an examination in the diagnosis, treatment, and management of ocular  
 14 diseases. The course and examination must be conducted by an institution accredited by a regional or  
 15 professional accreditation organization ~~which~~ that is recognized or approved by the national commission  
 16 on accrediting or the United States commissioner of education. The course and examination must also be  
 17 approved by the board.

18 (b) A person presently licensed to practice optometry who wishes to employ therapeutic  
 19 pharmaceutical agents must meet the requirements of subsection (2)(a).

20 (c) The board shall:

21 (i) provide for an examination in competency in the diagnosis, treatment, and management of  
 22 therapeutic pharmaceutical agents; and

23 (ii) issue a certificate to an applicant who passes ~~such~~ the examination."  
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25 **Section 3.** Section 37-10-308, MCA, is amended to read:

26 **"37-10-308. Continuing education required for license renewal.** An optometrist licensed pursuant  
 27 to 37-10-302 ~~or 37-10-303~~ is required to attend not less than 12 hours annually of scientific clinics,  
 28 forums, or optometric educational studies as may be provided or approved by the board as a prerequisite  
 29 for license renewal. A copy of this section must be sent to each licensee by the department prior to the  
 30 license renewal date each year. The board may exempt from this requirement those licensees who submit

1 satisfactory proof that they were prevented from attending educational programs during the preceding year  
2 due to illness or for other good reason."

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4 NEW SECTION. **Section 4. Repealer.** Section 37-10-303, MCA, is repealed.

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6 NEW SECTION. **Section 5. Codification instruction.** [Section 1] is intended to be codified as an  
7 integral part of Title 37, chapter 10, part 3, and the provisions of Title 37, chapter 10, part 3, apply to  
8 [section 1].

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