906.9 CLOTHING, TRANSPORTATION, AND MONEY.

When an inmate is discharged, paroled, ~~or~~ placed on work release, or placed in a community-based correctional program under section 246.513, the warden or superintendent shall furnish the inmate, at state expense, appropriate clothing and transportation to the place in this state indicated in the inmate's discharge, parole, ~~or~~ work release plan, or community-based corrections assignment. When an inmate is discharged, paroled, ~~or~~ placed on work release, or placed in a community-based correctional program under section 246.513, the warden or superintendent shall provide the inmate, at state expense, money in accordance with the following schedule:

1. Upon discharge or parole, one hundred dollars.
2. Upon being placed on work release, fifty dollars.
3. Upon going from an educational work release to parole or discharge, fifty dollars.
4. Upon being placed in a community-based correctional program under section 246.513, fifty dollars.

Those inmates receiving payment under subsection 2, ~~or~~ 3, or 4 ~~of this section~~ shall not be eligible for payment under subsection 1 ~~of this section~~ unless they are returned to the institution. The warden or superintendent shall maintain an account of all funds expended pursuant to this section.

Approved May 6, 1987

CHAPTER 119

THERAPEUTICALLY CERTIFIED OPTOMETRISTS

S.F. 216

AN ACT allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 154.1, unnumbered paragraph 3, Code 1987, is amended to read as follows:

Therapeutically certified optometrists may employ the following pharmaceuticals; topical and oral antimicrobial agents, topical and oral antihistamines, topical and oral antiglaucoma agents, topical anti-inflammatory agents, topical and oral analgesic agents and topical anesthetic agents and notwithstanding section 147.107, may without charge supply any of the above listed pharmaceuticals to commence a course of therapy. Superficial foreign bodies may be removed from the human eye and adnexa. These therapeutic efforts are intended for the purpose of examination, diagnosis, and treatment of visual defects, abnormal conditions and diseases of the human eye and adnexa, ~~except glaucoma,~~ for proper optometric practice or referral for consultation or treatment to persons licensed under chapter 148 or 150A. A therapeutically certified optometrist is an optometrist who is licensed to practice optometry in this state and who is certified by the board of optometry examiners to use the agents and procedures listed above. A therapeutically certified optometrist shall be provided with a distinctive certificate by the board which shall be displayed for viewing by the patients of the optometrist.

Sec. 2. Section 154.3, subsection 6, Code 1987, is amended to read as follows:

6. A person licensed in any state as an optometrist prior to January 1, 1986, who applies to be a therapeutically certified optometrist shall first satisfactorily complete a course as defined by rule of the board of optometry examiners with particular emphasis on the examination, diagnosis and treatment of conditions of the human eye and adnexa provided by an institution accredited by a regional or professional accreditation organization which is recognized or approved by the council on postsecondary accreditation of the United States office of education, and approved by the board of optometry examiners. The rule of the board shall require

a course including a minimum of forty hours of didactic education and sixty hours of approved supervised clinical training in the examination, diagnosis, and treatment of conditions of the human eye and adnexa. Effective July 1, 1987, the board shall require that therapeutically certified optometrists prior to the utilization of topical and oral antiglaucoma agents, oral antimicrobial agents and oral analgesic agents shall complete an additional forty-four hours of education with emphasis on treatment and management of glaucoma and use of oral pharmaceutical agents for treatment and management of ocular diseases, provided by an institution accredited by a regional or professional accreditation organization which is recognized or approved by the council on postsecondary accreditation of the United States office of education, and approved by the board of optometry examiners. Upon completion of the additional forty-four hours of education, a therapeutically certified optometrist shall also pass an oral or written examination prescribed by the board. The board shall suspend the optometrists therapeutic certificate for failure to comply with this subsection by July 1, 1988.

The board shall adopt rules requiring an additional twenty hours per biennium of continuing education in the treatment and management of ocular disease for all therapeutically certified optometrists. The department of ophthalmology of the school of medicine of the State University of Iowa shall be one of the providers of this continuing education.

Sec. 3. Section 155.6, Code 1987, is amended to read as follows:

155.6 SALES BY UNLICENSED PERSON.

~~No~~ An unlicensed person or licensed pharmacist shall not allow anyone who is not a licensed pharmacist to fill the prescriptions of licensed physicians, dentists, podiatrists, therapeutically certified optometrists, or veterinarians, except a person who is registered with the board of pharmacy examiners pursuant to the practical experience requirements of this chapter and unless the same be done under the immediate personal supervision of a licensed pharmacist. All drugs and medicines requiring a prescription which are sold, exposed or offered for sale shall be under the immediate personal supervision of a licensed pharmacist at all times except for temporary absences. However, during a period of temporary absence of a licensed pharmacist, no drugs or medicines requiring a prescription shall be sold or offered for sale in the pharmacy except proprietary medicines or domestic remedies.

Sec. 4. Section 155.29, subsection 3, Code 1987, is amended to read as follows:

3. For the purpose of obtaining a prescription drug, falsely assume the title of or claim to be a manufacturer, wholesaler, pharmacist, pharmacy owner, physician, dentist, podiatrist, therapeutically certified optometrist, veterinarian, or other authorized person.

Sec. 5. Section 155.35, Code 1987, is amended to read as follows:

155.35 NAME AND STRENGTH OF DRUG ON PRESCRIPTION LABEL.

Unless the prescription indicates to the contrary, the label of any drug sold and dispensed on the prescription of a licensed physician, therapeutically certified optometrist, dentist or podiatrist shall include the name and strength of the drug.

Sec. 6. Section 155.36, Code 1987, is amended to read as follows:

155.36 NONEQUIVALENT DRUG OR DRUG PRODUCT LIST.

The board shall be responsible for designating drugs or drug products which, because of the lack of demonstrated bioavailability, would pose an actual threat to the health, safety, and welfare of the people of Iowa if ~~such~~ the drugs or drug products were subject to dispensing under ~~the provision of~~ section 155.37. Within one hundred eighty days after July 1, 1976, the board shall cause to be issued a list of those drugs or drug products which have been demonstrated as being nonequivalent and are not interchangeable as determined by the federal food and drug administration. The board shall mail a copy of the nonequivalent drug or drug product list to each pharmacy registered with it and each physician, dentist, podiatrist and veterinarian licensed to practice in this state. Thereafter, the board shall from time to time make additions to or deletions from the nonequivalent drug or drug product list as determined by the

federal food and drug administration. Notification of ~~such~~ additions or deletions shall be made promptly to each pharmacist registered with the board and each physician, dentist, podiatrist, therapeutically certified optometrist, and veterinarian licensed to practice in this state.

Sec. 7. Section 155.37, subsection 1, paragraphs a and b, Code 1987, are amended to read as follows:

1. a. If a physician, dentist, podiatrist, therapeutically certified optometrist, or veterinarian prescribes, either in writing or orally, a drug by its brand or trade name and does not specifically state that only that designated brand or trade name drug product is to be dispensed, and if the pharmacy to which the prescription is presented or communicated has in stock one or more other drug products with the same generic name and demonstrated bioavailability as the one prescribed, the pharmacist may exercise professional judgment in the economic interest of the patient or the patient's adult representative who is purchasing the prescription by selecting a drug product generically equivalent to but of lesser cost than the one prescribed for dispensing and sale to the patient. If the pharmacist does so, the pharmacist shall inform the patient or the patient's adult representative of the savings which the patient will obtain as a result of substitution and pass on to the patient or the patient's representative no less than fifty percent of the difference in actual acquisition costs between the drug prescribed and the drug substituted.

b. If the cost of the prescription or any part of it will be paid by expenditure of public funds authorized under chapter 239, 249, 249A, 252, 253, or 255, the pharmacist shall exercise professional judgment by selecting a drug product of the same generic name and demonstrated bioavailability but of a lesser cost than the one prescribed for dispensing and sale to the person unless the physician, therapeutically certified optometrist, dentist, or podiatrist specifically states that only that designated brand or trade name drug product is to be dispensed. However, a pharmacy to which the prescription is presented or communicated is not required to substitute a drug product of the same generic name and demonstrated bioavailability but of lesser cost unless the pharmacy has in stock one or more such drug products.

Approved May 7, 1987