

NOTE: Amend 1/24/79

Amend Senate File 93 (S 552)

SENATE FILE 93

By RAMSEY, PALMER, TAYLOR, TIEDEN,
BERGMAN, COLEMAN, HUTCHINS,
GOODWIN, MILLER of Cerro Gordo,
PRIEBE, CARR, MILLER of Marshall,
HULSE, RODGERS, CALHOON and
WALDSTEIN

Passed Senate, Date 3-7-79 (S 620) Passed House, Date _____

Vote: Ayes 39 Nays 17 Vote: Ayes _____ Nays _____

Approved June 8, 1979

A BILL FOR

1 An Act relating to the use of diagnostic pharmaceutical agents
2 by optometrists.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 93

S-3116

- 1 Amend Senate File 93 as follows:
- 2 1. Page 1, line 18, by striking the words "visual
- 3 system" and inserting in lieu thereof the words "human
- 4 eye".
- 5 2. Page 2, lines 3 and 4, by striking the words
- 6 "approved by the board of optometry examiners,".
- 7 3. Page 2, line 12, by striking the words "visual
- 8 system" and inserting in lieu thereof the words "human
- 9 eye".
- 10 4. Page 2, line 16, by inserting after the word
- 11 "pharmacology" the words "including clinical
- 12 instruction".
- 13 5. Page 2, by striking lines 17 through 19 and
- 14 inserting in lieu thereof the word "optometry."
- 15 6. Page 2, line 26, by striking the words "visual
- 16 systems" and inserting in lieu thereof the words
- 17 "human eye".

S-3116 FILED *Chair of order with* BY COMMITTEE ON STATE GOVERNMENT
FEBRUARY 22, 1979 *adoption of* JOHN NYSTROM, CHAIRPERSON

1 Section 1. Section one hundred fifty-four point one
2 (154.1), Code 1979, is amended by striking the section and
3 inserting in lieu thereof the following:

4 154.1 CERTIFIED LICENSED OPTOMETRIST--LICENSED OPTOMETRIST-
5 -PRACTICE OF OPTOMETRY.

6 1. A licensed optometrist is a person licensed to practice
7 optometry in this state prior to the effective date of this
8 Act. A certified licensed optometrist is a person who is
9 licensed to practice optometry in this state and who is cer-
10 tified by the board of optometry examiners to use diagnostic
11 agents as provided in this chapter.

12 2. For the purposes of this chapter, the following classes
13 of persons shall be deemed to be engaged in the practice of
14 optometry:

15 a. Persons employing any means other than the use of
16 drugs, medicine or surgery for the measurement of the visual
17 power and visual efficiency of the human eye, and the diagnosis
18 of conditions of the visual system, the prescribing and
19 adapting of lenses, prisms and contact lenses, and the using
20 or employing of visual training or ocular exercise, for the
21 aid, relief or correction of vision. However, certified
22 licensed optometrists may use the following diagnostic agents
23 topically applied: cycloplegics, mydriatics, topical anes-
24 thetics, and for emergency use only, miotics.

25 b. Persons who allow the public to use any mechanical
26 device for such purpose.

27 c. Persons who publicly profess to be optometrists and
28 to assume the duties incident to the profession.

29 Sec. 2. Chapter one hundred fifty-four (154), Code 1979,
30 is amended by adding the following new section:

31 NEW SECTION. CERTIFIED LICENSED OPTOMETRIST.

32 1. In order to commence the practice of optometry after
33 the effective date of this Act, a person must be a certified
34 licensed optometrist. In addition to the satisfactory
35 completion of the licensing requirements in section one hundred

1 fifty-four point three (154.3) of the Code, the person must
 2 become certified to use diagnostic agents by satisfactorily
 3 completing a course approved by the board of optometry
 4 examiners, consisting of at least one hundred contact hours
 5 in pharmacology as it applies to optometry, offered by an
 6 institution accredited by a regional or professional
 7 accreditation organization which is recognized or approved
 8 by the council on postsecondary accreditation or the United
 9 States office of education, with particular emphasis on the
 10 topical application of diagnostic agents to the eye for the
 11 purpose of examination of the human eye and the diagnosis
 31/6-12 of conditions of the visual system.

13 2. In order to become a certified licensed optometrist,
 14 a licensed optometrist shall meet the following requirements:

15 a. Satisfactory completion of a course of at least one
 31/6-16 hundred contact hours in pharmacology as it applies to
 17 optometry. The course shall be designed and approved by the
 18 board of optometry examiners and arranged through the division
 19 of continuing education of the state university of Iowa.

20 b. In addition to the examination required by section
 21 one hundred fifty-four point three (154.3), subsection three
 22 (3) of the Code, satisfactory completion of an examination
 23 prescribed by the optometry examiners in the subjects of
 24 physiology and pathology appropriate to the use of diagnostic
 25 pharmaceutical agents and diagnosis of conditions of the
 31/6-26 visual systems, and pharmacology including systemic effects
 27 of ophthalmic diagnostic pharmaceutical agents authorized
 28 for use by optometrists by section one hundred fifty-four
 29 point one (154.1), subsection one (1) of the Code.

30 3. A certified licensed optometrist shall be provided
 31 by the board with a document acknowledging certification which
 32 shall be displayed for viewing by the optometrist's patients.

33 Sec. 3. Section one hundred fifty-five point twenty-two
 34 (155.22), Code 1979, is amended to read as follows:

35 155.22 EXCEPTIONS. Sections 155.20 and 155.21 do not

1 apply to sales by wholesalers of drugs and medicines to li-
2 censed physicians, dentists, podiatrists or veterinarians
3 or to sales by wholesalers of the diagnostic pharmaceutical
4 agents listed in section one hundred fifty-four point one
5 (154.1), subsection one (1) of the Code to certified licensed
6 optometrists.

7 Sec. 4. Section one hundred fifty-five point twenty-six
8 (155.26), Code 1979, is amended by adding the following new
9 unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. This section does not apply
11 to possession of diagnostic pharmaceutical agents authorized
12 by section one hundred fifty-four point one (154.1), subsection
13 one (1) of the Code by certified licensed optometrists. Phar-
14 macists may dispense diagnostic agents authorized in section
15 one hundred fifty-four point one (154.1), subsection one (1)
16 of the Code to certified licensed optometrists.

17 Sec. 5. This Act is effective January first following
18 its enactment.

19 EXPLANATION

20 This bill defines a certified licensed optometrist, and
21 requires every person graduating after the effective date
22 of the Act desiring to practice optometry to be certified
23 as well as licensed. Certification requirements include
24 completion of at least 100 contact hours in pharmacology as
25 it applies to optometry. The bill qualifies certified licensed
26 optometrists to use diagnostic pharmaceutical agents, and
27 permits pharmacists to dispense them to certified licensed
28 optometrists. The bill also permits the sale by wholesalers
29 of diagnostic pharmaceutical agents to certified licensed
30 optometrists, and exempts certified licensed optometrists
31 from any criminal violation for possession of prescription
32 drugs.

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S-3124

1 Amend Senate File 93 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. Section one hundred fifty-four point
5 one (154.1), Code 1979, is amended by adding the
6 following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Certified licensed
8 optometrists may employ cycloplegics, mydriatics and
9 topical anesthetics as diagnostic agents topically
10 applied. A certified licensed optometrist is an
11 optometrist who is licensed to practice optometry
12 in this state and who is certified by the board of
13 optometry examiners to use diagnostic agents. A
14 certified licensed optometrist shall be provided with
15 a distinctive certificate by the board which shall
16 be displayed for viewing by the patients of the
17 optometrist.

18 Sec. 2. Section one hundred fifty-four point
19 three, (154.3), Code 1979, is amended by adding the
20 following new subsections:

21 NEW SUBSECTION. A person applying to be licensed
22 as an optometrist after January 1, 1980, shall also
23 apply to be a certified licensed optometrist and
24 shall, in addition to satisfactorily completing all
25 requirements for a license to practice optometry,
26 satisfactorily complete a course consisting of at
27 least one hundred contact hours in pharmacology and
28 receive clinical training as it applies to optometry
29 with particular emphasis on the topical application
30 of diagnostic agents to the human eye for the purpose
31 of examination of the human eye, and the diagnosis
32 of conditions of the human eye, at an institution
33 accredited by a regional or professional accreditation
34 organization which is recognized or approved by the
35 council on postsecondary accreditation or the United
36 States office of education, and approved by the board
37 of optometry examiners.

38 NEW SUBSECTION. A person licensed as an optometrist
39 prior to the effective date of this Act who applies
40 to be a certified licensed optometrist shall first
41 satisfactorily complete a course consisting of at
42 least one hundred contact hours in pharmacology as
43 it applies to optometry.

44 NEW SUBSECTION. In addition to the examination
45 required by section one hundred fifty-four point three
46 (154.3), subsection three (3) of the Code, a person
47 applying to be a certified licensed optometrist shall
48 also pass an examination prescribed by the optometry
49 examiners in the subjects of physiology and pathology
50 appropriate to the use of diagnostic pharmaceutical

5-46 Strike line 26, 27, 28

5-46 Strike line 26, 27, 28

5-46 Strike line 26, 27, 28

S-3124
Page 2

1 agents and diagnosis of conditions of the human eye,
2 and pharmacology including systemic effects of
3 ophthalmic diagnostic pharmaceutical agents authorized
4 for use by optometrists by section one hundred fifty-
5 four point one (154.1) of the Code.

6 Sec. 3. Section one hundred fifty-five point
7 twenty-two (155.22), Code 1979, is amended to read
8 as follows:

9 155.22 EXCEPTIONS. Sections 155.20 and 155.21
10 do not apply to sales by wholesalers of drugs and
11 medicines to licensed physicians, dentists, podiatrists
12 or veterinarians or to sales by wholesalers to
13 certified licensed optometrists of those diagnostic
14 pharmaceutical agents which are authorized for use
15 by certified licensed optometrists pursuant to this
16 Act.

17 Sec. 4. Section one hundred fifty-five point
18 twenty-six (155.26), Code 1979, is amended by adding
19 the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. This section shall not
21 apply to the possession by a certified licensed
22 optometrist of those diagnostic agents which are
23 authorized for use by certified licensed optometrists
24 pursuant to this Act. The dispensing by pharmacists
25 to certified licensed optometrists of those diagnostic
26 agents which are authorized for use by certified
27 licensed optometrists pursuant to this Act shall be
28 permitted.

29 Sec. 5. This Act is effective January 1, 1980."

S-3124 FILED *Adopted in committee by* BY ARTHUR A. SMALL, JR.
FEBRUARY 27, 1979 *3130, 3144, 3152, 2157* STEPHEN W. BIENIUS
2/7 (3 620)

SENATE FILE 93

(-3120

1 Amend Senate File 93:

2 1. Page 1, by striking lines 23 and 24 and inserting
3 in lieu thereof the words "topically applied: cyclogyl."

S-3120 FILED *One of order will adopt* BY ARTHUR L. GRATIAS
FEBRUARY 26, 1979 *of 3124*

SENATE FILE 93

S-3131

- 1 Amend amendment S-3124 to Senate File 93 as follows:
- 2 1. Page 1, lines 31 and 32, by striking the words
- 3 ", and the diagnosis of conditions of the human eye,".

S-3131 FILED *withdrew 2/7 (p. 675)*
FEBRUARY 28, 1979

BY ARTHUR A. SMALL, JR.

SENATE FILE 93

S-3130

- 1 Amend amendment S-3124 to Senate File 93, Page 1,
- 2 lines 26 and 37, by striking the words ", and
- 3 approved by the board of optometry examiners".

S-3130 FILED *adopted 2/7 (p. 615)*
FEBRUARY 28, 1979

BY ARTHUR A. SMALL, JR.

SENATE FILE 93

S-3133

- 1 Amend Senate File 93 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "applied" the words "for the purpose of observing
- 4 the condition of the human eye".
- 5 2. Page 1, line 24, by inserting after the word
- 6 "miotics." the words "An optometrist who observes
- 7 an abnormal condition of the human eye shall refer
- 8 the person to a licensed medical or osteopathic
- 9 physician."

S-3133 FILED *One of order with adoption*
MARCH 1, 1979 *of 3124 (p. 620)*

BY EDGAR H. HOLDEN

SENATE FILE 93

S-3136

- 1 Amend the amendment S-3124 to Senate File 93 as
- 2 follows:
- 3 1. Page 2, line 5, by inserting after the word
- 4 "Code." the words and figure "For the purposes of
- 5 this subsection, the examination shall be graded by
- 6 three persons licensed under chapter one hundred
- 7 forty-eight (148) of the Code who specialize in the
- 8 care and treatment of the vision system."

S-3136 FILED *withdrew 3/2 (p. 670)*
MARCH 2, 1979

BY TOM SLATER

SENATE FILE 93

S-3138

1 Amend the amendment S-3124 to Senate File 93 as
2 follows:

3 1. Page 1, line 10, by inserting after the word
4 "applied" the words "for the purpose of observing
5 the condition of the human eye".

6 2. Page 2, by inserting after line 5 the following:

7 "Sec. 3. Chapter one hundred fifty-four (154),
8 Code 1979, is amended by adding the following new
9 section:

10 NEW SECTION. If, during the course of examining
11 a person's eyes an optometrist determines the existence
12 of an abnormal condition, the optometrist shall so
13 advise the person and shall refer the person to a
14 licensed medical or osteopathic physician."

15 3. By renumbering the sections to conform with
16 this amendment.

S-3138 FILED *Withdrawn 2/7 (p 6/12)*
MARCH 5, 1979

BY EDGAR H. HOLDEN

S-3145

1 Amend amendment S-3124 to Senate File 93 as follows:
 2 1. Page 1, by inserting after line 17 the
 3 following:
 4 "After January 1, 1985, a person shall not practice
 5 optometry unless that person is certified by the board
 6 of optometry examiners to use diagnostic agents."

S-3145 FILED *File 2/7 (p. 574)*
 MARCH 6, 1979

BY TOM SLATER

SENATE FILE 93

S-3146

1 Amend amendment S-3124 to Senate File 93 as
 2 follows:
 3 1. Page 1, by striking lines 26 through 37 and
 4 inserting in lieu thereof the following: "present
 5 a bachelor's degree from an accredited four-year
 6 college or university and present a diploma from
 7 an accredited four-year school of optometry."
 8 2. Page 1, by striking lines 41 through 43 and
 9 inserting in lieu thereof the following: "present
 10 a bachelor's degree from an accredited four-year
 11 college or university and present a diploma from
 12 an accredited four-year school of optometry."

S-3146 FILED *File 2/7 (p. 612)*
 MARCH 6, 1979

BY RICHARD COMITO

SENATE FILE 93

S-3147

1 Amend Senate File 93 as follows:
 2 1. Page 2, line 2, by striking the word
 3 "satisfactorily".
 4 2. Page 2, by striking lines 3 through 12 and
 5 inserting in lieu thereof the following: "presenting
 6 a bachelor's degree from an accredited four-year
 7 college or university and presenting a diploma from
 8 an accredited four-year school of optometry."
 9 3. Page 2, by striking lines 15 through 19 and
 10 inserting in lieu thereof the following:
 11 "a. Present a bachelor's degree from an accredited
 12 four-year college or university and a diploma from
 13 an accredited four-year school of optometry."

S-3147 FILED *File of order with adoption of 3124 (p. 680)*
 MARCH 6, 1979

BY RICHARD COMITO

SENATE FILE 93

S-3142

1 Amend the amendment S-3124 to Senate File 93 as
 2 follows:
 3 1. Page 1, line 6, by striking the word "paragraph"
 4 and inserting in lieu thereof the word "paragraphs".
 5 2. Page 1, by inserting after line 17 the following:
 6 "NEW UNNUMBERED PARAGRAPH. A licensed optometrist
 7 who is not a certified licensed optometrist shall
 8 be provided a certificate by the board of optometry
 9 examiners which states that the holder is not qualified
 10 to use diagnostic agents which shall be displayed
 11 for viewing by the patients of the optometrist."

S-3142 FILED *Withdrawn 3/6 (p. 671)* BY DALE L. TIEDEN
 MARCH 6, 1979

SENATE FILE 93

S-3143

1 Amend amendment S-3124 to Senate File 93 as follows:
 2 1. Page 1, by inserting after line 20 the
 3 following:
 4 "NEW SUBSECTION. Complete one year of training
 5 as a resident optometrist."

S-3143 FILED *Lost 3/7 (p. 675)* BY TOM SLATER
 MARCH 6, 1979

SENATE FILE 93

S-3144

1 Amend amendment S-3124 to Senate File 93 as follows:
 2 1. Page 2, by inserting after line 5 the following:
 3 "Sec. 2. Chapter one hundred fifty-four (154),
 4 Code 1979, is amended by adding the following new
 5 section:
 6 NEW SECTION. A certified licensed optometrist
 7 employing diagnostic pharmaceutical agents as
 8 authorized by this Act shall be held to the same
 9 standard of care in the use of such agents and in
 10 diagnosis as is common to physicians in this state."
 11 2. By renumbering the sections to conform with
 12 this amendment.

S-3144 FILED *Adopted 3/7 (p. 677)* BY TOM SLATER
 MARCH 6, 1979 RICHARD COMITO

SENATE FILE 93

S-3148

1 Amend the amendment S-3124 to Senate File 93 as
2 follows:

A 3 1. Page 1, line 42, by inserting after the word
4 "pharmacology" the words "and receive clinical
5 training".

B 6 2. Page 2, line 5, by inserting after the word
7 "Code" the words "and show proof of clinical training
8 sufficient to qualify the applicant to use the agents".

S-3148 FILED
MARCH 7, 1979

BY ARTHUR A. SMALL, JR.

DIV A- WITHDRAWN; DIV B LOST (p. 676)

SENATE FILE 93

S-3155

1 Amend the amendment S-3124 to Senate File 93 as
2 follows:

3 1. Page 2, by inserting after line 5 the following:
4 "Sec. 3. Chapter one hundred fifty-four (154),
5 Code 1979, is amended by adding the following new
6 section:

7 NEW SECTION. A licensed or certified licensed
8 optometrist shall immediately refer a patient to a
9 licensed physician or surgeon who specializes in
10 ophthalmology if the patient complains about any of
11 the following:

12 1. Flashing of light, floaters, halos, transient
13 dimming of vision or obscured vision.

14 2. Loss of vision, double vision, or excessive
15 tearing.

16 3. Experiences of temporary or permanent loss
17 of any part of the visual field or the clinical
18 discovery of such field loss.

19 4. Presence of corneal opacities or abnormalities
20 in the normally transparent media of the eye, the
21 ocular fundus or the disc not previously medically
22 identified."

23 2. By renumbering the sections to conform with
24 this amendment.

S-3155 FILED (p. 678)
MARCH 7, 1979
WITHDRAWN

BY RICHARD COMITO

SENATE FILE 93

S-3150

1 Amend amendment S-3124 to Senate File 93 as follows.

2 1. Page 2, by inserting after line 5 the following:

3 "Sec. 3. Chapter one hundred fifty-four (154),

4 Code 1979, is amended by adding the following new
5 section:

6 NEW SECTION. ADVISORY BOARD.

7 1. An advisory board on the optometric use of
8 diagnostic pharmaceutical agents shall be appointed
9 by the commissioner of public health. The board shall
10 consist of two licensed pharmacists, two licensed
11 optometrists, two persons licensed under chapters
12 one hundred forty-eight (148) or one hundred fifty
13 A (150A) of the Code, and two persons representing
14 the general public. Members of the board shall serve
15 terms of four years and shall receive their actual
16 expenses and travel and forty dollars per diem
17 compensation from the funds appropriated to the board
18 of optometry examiners.

19 2. Until at least two members of the board of
20 optometry examiners are certified licensed
21 optometrists, the applications of persons to be
22 certified licensed optometrists must be reviewed and
23 approved by the advisory board before a certified
24 licensed optometrist's license is issued to the person.

25 3. Applicants to be certified licensed optometrists
26 shall furnish a description of the courses of
27 instruction, clinical training and residencies
28 completed sufficient in the view of the advisory board
29 to qualify the person to be a certified licensed
30 optometrist.

31 4. The portion of the examination taken by persons
32 applying to be a certified licensed optometrist which
33 is relevant to physiology and pathology relating to
34 the use of diagnostic pharmaceutical agents and
35 diagnosis of conditions of the human eye and
36 pharmacology including systemic effects of ophthalmic
37 diagnostic pharmaceutical agents authorized for use
38 by optometrists by this Act shall be approved by the
39 advisory board before being given and each applicant's
40 answers to that portion of the examination shall be
41 graded by the licensed members of the advisory board."

42 2. By renumbering the sections to conform with
43 this amendment.

S-3150 FILED
MARCH 7, 1979
LOST (p. 678)

BY ARTHUR A. SMALL, JR.

SENATE FILE 93

S-3156

- 1 Amend the Small-Bisenius amendment, S-3124, to
- 2 Senate File 93 as follows:
- 3 1. Page 1, line 43, by inserting after the word
- 4 "optometry" the following: "including clinical
- 5 training as it applies to optometry with particular
- 6 emphasis on the topical application of diagnostic
- 7 agents to the human eye and possible adverse
- 8 reactions thereto, for the purpose of examination of
- 9 the human eye and the diagnosis of conditions of the
- 10 human eye, provided by an institution accredited by
- 11 a regional or professional accreditation organization
- 12 which is recognized or approved by the council on
- 13 postsecondary accreditation or the United States
- 14 office of education, and approved by the board of
- 15 optometry examiners".
- 16 2. Page 2, line 3, by inserting after the word
- 17 "agents" the words "and the possible adverse
- 18 reactions thereto,".

S-3156 FILED & ADOPTED (j 675)
MARCH 7, 1979

BY LOWELL L. JUNKINS
FORREST V. SCHWENGELS

SENATE FILE 93

S-3157

- 1 Amend the Small-Bisenius amendment, S-3124, to
- 2 Senate File 93 as follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "applied" the following: "to determine the condition
- 5 of the human eye for proper optometric practice or
- 6 referral for treatment to a licensed medical or
- 7 osteopathic physician".

S-3157 FILED & ADOPTED (j 672)
MARCH 7, 1979

BY EDGAR H. HOLDEN
RICHARD R. RAMSEY
ROBERT M. CARR

SENATE FILE 93

S-3160

- 1 Amend the Small-Bisenius amendment S-3124 to
- 2 Senate File 93 as follows:
- 3 1. Page 1, by inserting after line 43 the
- 4 following:
- 5 "In addition the applicant shall present a
- 6 diploma from an accredited four-year school of
- 7 optometry."

S-3160 FILED & LOST (p. 674)
MARCH 7, 1979

BY RICHARD COMITO

SENATE FILE 93

S-3162

- 1 Amend the Small-Bisenius amendment S-3124 as
- 2 follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "applied" the words "and for emergency use only,
- 5 miotics".

S-3162 FILED & WITHDRAWN (p. 675)
MARCH 7, 1979

BY DICK RAMSEY
BOB CARR
FORREST V. SCHWENGELS
JOE BROWN

SENATE FILE 93

S-3165

- 1 Amend the amendment S-3124 to Senate File 93 as
- 2 follows:
- 3 1. Page 2, by inserting after line 5 the following:
- 4 "Sec. 3. Chapter one hundred fifty-four (154),
- 5 Code 1979, is amended by adding the following new
- 6 section:
- 7 NEW SECTION. The topical diagnostic agents
- 8 authorized for use by certified licensed optometrists
- 9 shall not be used on persons who have had ophthalmic
- 10 surgery in the previous year, are known to be
- 11 glaucomatous, or have an eye with an intraocular lens
- 12 implant."
- 13 2. By renumbering the sections to conform with
- 14 this amendment.

S-3165 FILED & LOST (p. 679)
MARCH 7, 1979

BY RICHARD F. DRAKE

SENATE FILE 93

S-3166

- 1 Amend the Small-Bisenius amendment S-3124 as
- 2 follows:
- 3 1. Page 1, line 8, by inserting after the word
- 4 "mydriatics" the word ",miotics".

S-3166 FILED & LOST (p. 679)
MARCH 7, 1979

BY DICK RAMSEY
JOE BROWN

SENATE FILE 93

S-3158

1 Amend the amendment S-3124 to Senate File 93 as
2 follows:
3 1. Page 1, by striking line 4 through page 2,
4 line 29 and inserting in lieu thereof the following:
5 "Section 1. The state department of health shall
6 undertake a study of the possible use of cycloplegics,
7 mydriatics and topical anesthetics by optometrists.
8 The study shall examine the potential consequences
9 of the proper and improper use of these diagnostic
10 agents topically applied, the experience of other
11 states authorizing the use of these diagnostic agents
12 by optometrists, and the extent of training or
13 education which should be required by optometrists
14 to ensure the proper use of these diagnostic agents.
15 The state department of health shall submit its
16 findings and recommendations to the general assembly
17 prior to the convening of the next regular session."

S-3158 FILED & LOST (p. 673)
MARCH 7, 1979

BY BOB RUSH
PATRICK DELUHERY

SENATE FILE 93

S-3159

1 Amend the amendment S-3124 to Senate File 93 as
2 follows:
3 1. Page 1, by inserting after line 17 the
4 following:
5 "Sec. 2. Section one hundred fifty-four point
6 two (154.2), Code 1979, is amended by adding the
7 following new unnumbered paragraph:
8 NEW UNNUMBERED PARAGRAPH. This chapter does not
9 apply to nor restrict in any way the practice of
10 medicine or surgery or osteopathic medicine or surgery
11 or a licensed physician under chapter one hundred
12 forty-eight (148) or one hundred fifty A (150A) of
13 the Code or a nurse, physician's assistant, technician,
14 medical assistant, optician or allied or ancillary
15 health personnel acting under a physician's
16 prescription, supervision or director or to an eye
17 screening or governmental eye testing program."
18 2. By renumbering the sections to conform with
19 this amendment.

S-3159 FILED & LOST (p. 674)
MARCH 7, 1979

BY CLOYD E. ROBINSON

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1 Section 1. Section one hundred fifty-four point one
2 (154.1), Code 1979, is amended by adding the following new
3 unnumbered paragraph:

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4 NEW UNNUMBERED PARAGRAPH. Certified licensed optometrists
5 may employ cycloplegics, mydriatics and topical anesthetics
6 as diagnostic agents topically applied to determine the
7 condition of the human eye for proper optometric practice
8 or referral for treatment to a licensed medical or osteopathic
9 physician. A certified licensed optometrist is an optometrist
10 who is licensed to practice optometry in this state and who
11 is certified by the board of optometry examiners to use
12 diagnostic agents. A certified licensed optometrist shall
13 be provided with a distinctive certificate by the board which
14 shall be displayed for viewing by the patients of the
15 optometrist.

16 Sec. 2. Section one hundred fifty-four point three,
17 (154.3), Code 1979, is amended by adding the following new
18 subsections:

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19 NEW SUBSECTION. A person applying to be licensed as an
20 optometrist after January 1, 1980, shall also apply to be
21 a certified licensed optometrist and shall, in addition to
22 satisfactorily completing all requirements for a license to
23 practice optometry, satisfactorily complete a course consisting
24 of at least one hundred contact hours in pharmacology and
25 receive clinical training as it applies to optometry with
26 particular emphasis on the topical application of diagnostic
27 agents to the human eye for the purpose of examination of
28 the human eye, and the diagnosis of conditions of the human
29 eye, at an institution accredited by a regional or professional
30 accreditation organization which is recognized or approved
31 by the council on postsecondary accreditation or the United
32 States office of education.

33 NEW SUBSECTION. A person licensed as an optometrist prior
34 to the effective date of this Act who applies to be a certified
35 licensed optometrist shall first satisfactorily complete a

1 course consisting of at least one hundred contact hours in
 2 pharmacology as it applies to optometry including clinical
 3 training as it applies to optometry with particular emphasis
 4 on the topical application of diagnostic agents to the human
 5 eye and possible adverse reactions thereto, for the purpose
 6 of examination of the human eye and the diagnosis of conditions
 7 of the human eye, provided by an institution accredited by
 8 a regional or professional accreditation organization which
 9 is recognized or approved by the council on postsecondary
 10 accreditation or the United States office of education, and
 11 approved by the board of optometry examiners.

12 NEW SUBSECTION. In addition to the examination required
 13 by section one hundred fifty-four point three (154.3),
 14 subsection three (3) of the Code, a person applying to be
 15 a certified licensed optometrist shall also pass an examination
 16 prescribed by the optometry examiners in the subjects of
 17 physiology and pathology appropriate to the use of diagnostic
 18 pharmaceutical agents and diagnosis of conditions of the human
 19 eye, and pharmacology including systemic effects of ophthalmic
 20 diagnostic pharmaceutical agents and the possible adverse
 21 reactions thereto, authorized for use by optometrists by
 22 section one hundred fifty-four point one (154.1) of the Code.

23 Sec. 3. Chapter one hundred fifty-four (154), Code 1979,
 24 is amended by adding the following new section:

25 NEW SECTION. A certified licensed optometrist employing
 26 diagnostic pharmaceutical agents as authorized by this Act
 27 shall be held to the same standard of care in the use of such
 28 agents and in diagnosis as is common to physicians in this
 29 state.

30 Sec. 4. Section one hundred fifty-five point twenty-two
 31 (155.22), Code 1979, is amended to read as follows:

32 155.22 EXCEPTIONS. Sections 155.20 and 155.21 do not
 33 apply to sales by wholesalers of drugs and medicines to
 34 licensed physicians, dentists, podiatrists or veterinarians
 35 or to sales by wholesalers to certified licensed optometrists

1 of those diagnostic pharmaceutical agents which are authorized
2 for use by certified licensed optometrists pursuant to this
3 Act.

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4 Sec. 5. Section one hundred fifty-five point twenty-six
5 (155.26), Code 1979, is amended by adding the following new
6 unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. This section shall not apply
8 to the possession by a certified licensed optometrist of those
9 diagnostic agents which are authorized for use by certified
10 licensed optometrists pursuant to this Act. The dispensing
11 by pharmacists to certified licensed optometrists of those
12 diagnostic agents which are authorized for use by certified
13 licensed optometrists pursuant to this Act shall be permitted.

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14 Sec. 6. This Act is effective January 1, 1980.

15 EXPLANATION

16 This bill defines a certified licensed optometrist, and
17 requires every person graduating after the effective date
18 of the Act desiring to practice optometry to be certified
19 as well as licensed. Certification requirements include
20 completion of at least 100 contact hours in pharmacology as
21 it applies to optometry. The bill qualifies certified licensed
22 optometrists to use diagnostic pharmaceutical agents, and
23 permits pharmacists to dispense them to certified licensed
24 optometrists. The bill also permits the sale by wholesalers
25 of diagnostic pharmaceutical agents to certified licensed
26 optometrists, and exempts certified licensed optometrists
27 from any criminal violation for possession of prescription
28 drugs.

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SENATE FILE 93

H-3958

- 1 Amend amendment H 3688 to Senate File 93 as
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, lines 5 and 6 by striking the words
- 4 "drug including prescription, non-prescription or
- 5 controlled substances" and inserting in lieu
- 6 thereof the words "prescription drug or controlled
- 7 substance".

H-3958 FILED *Placed out of order 4/19 (p. 1644)* BY LURA of Marshall
APRIL 18, 1979

SENATE FILE 93

H-4001

- 1 Amend amendment H 3711 to Senate File 93 as
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, line 6, by inserting after the
- 4 second word "and" the words "one-half percent".

H-4001 FILED BY CLARK of Cerro Gordo
APRIL 19, 1979
ADOPTED (p. 1644)

SENATE FILE 93

H-4006

- 1 Amend amendment H-3711 to Senate File 93,
- 2 as amended, passed and reprinted, by the Senate,
- 3 as follows:
- 4 1. Page 1, line 5, by striking the word "and"
- 5 and inserting in lieu thereof the word "or".

H-4006 FILED BY CLARK of Cerro Gordo
APRIL 19, 1979
ADOPTED BY UNANIMOUS CONSENT (p. 1644)

SENATE FILE 93

H-3952

1 Amend Senate File 93 as amended and passed
2 by the Senate as follows:
3 1. Page 1, line 29, by inserting after the
4 word "eye" the following: "and the recognition of
5 symptoms of diseases of the human body manifest in
6 the eye".
7 2. Page 2, line 7, by inserting after the
8 word "eye" the following: "and the recognition of
9 symptoms of diseases of the human body manifest in
10 the eye".
11 3. Page 2, line 19, by inserting after the
12 word "eye" the following: "and the recognition of
13 symptoms of diseases of the human body manifest in
14 the eye".

H-3952 FILED *Law 4/17 (p. 1045)*
APRIL 17, 1979

BY THOMPSON of Polk
CHIODO of Polk
CONNORS of Polk

SENATE FILE 93

H-3950

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 22 the
4 following:
5 "Sec. 3. Chapter one hundred fifty-four (154),
6 Code 1979, is amended by adding the following new
7 section:
8 NEW SECTION. A certified licensed optometrist
9 shall immediately refer a patient to a licensed medical
10 physician or osteopathic physician and surgeon if
11 the patient has a visual acuity not correctable beyond
12 twenty-forty or an abnormal condition of the eye."
13 2. By renumbering the sections to conform with
14 this amendment.

H-3950 FILED *Law 4/17 (p. 1050)*
APRIL 17, 1979

BY KIRKENSLAGER of Des Moines

SENATE FILE 93

H-3949

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 32, by inserting after the word
4 "education." the words "A person shall not be licensed
5 as an optometrist after the effective date of this
6 Act unless that person is certified to use diagnostic
7 agents as provided in this Act."

H-3949 FILED *Filed not germane 4/17 (p. 1045)*
APRIL 17, 1979

BY SCHROEDER of Pottawattamic

SENATE FILE 93

H-3938

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 22 the follow-
4 ing: "A temporary board on the optometric use of
5 diagnostic pharmaceutical agents shall be appointed
6 by the commissioner of public health and exist until
7 the board of optometry examiners includes three
8 certified licensed optometrists. The board shall
9 consist of two licensed pharmacists, two licensed
10 optometrists, two persons licensed under chapter one
11 hundred forty-eight (148) or one hundred fifty A
12 (150A) of the Code. The board shall review, approve
13 and grade the examinations and the sufficiency of
14 the training required by this Act of persons seeking
15 to become certified licensed optometrists."
16 2. Page 2, by inserting after line 29 the
17 following:
18 "Sec. 4. Section one hundred forty-seven point
19 fourteen (147.14), subsection six (6), Code 1979,
20 is amended to read as follows:
21 6. For optometry examiners, five members licensed
22 to practice optometry three of whom shall be certified
23 licensed optometrists by July 1, 1986 and two members
24 who are not licensed to practice optometry and who
25 shall represent the general public. A majority of
26 the members of the board shall constitute a quorum."
27 3. By renumbering the sections to conform with
28 this amendment.

H-3938 FILED *Revised and germane 4/19* BY LORENZEN of Scott
APRIL 17, 1979 *(p. 1644)*

SENATE FILE 93

H-3944

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 32, by inserting after the word
4 "education" the words "and pass an examination
5 prescribed by the board of optometry examiners".

H-3944 FILED *W. D. Brown 4/19 (p. 1648)* BY SCHROEDER of Pottawattamie
APRIL 17, 1979

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. By striking all after the enacting clause and
 4 inserting in lieu thereof the following:
 5 "Section 1. The state department of health shall
 6 undertake a study of the possible use of cycloplegics,
 7 mydriatics and topical anesthetics by optometrists.
 8 The study shall examine the potential consequences
 9 of the proper and improper use of these diagnostic
 10 agents topically applied, the experience of other
 11 states authorizing the use of these diagnostic agents
 12 by optometrists, and the extent of training or
 13 education which should be required by optometrists
 14 to ensure the proper use of these diagnostic agents.
 15 The state department of health shall submit its
 16 findings and recommendations to the general assembly
 17 prior to the convening of the next regular session."

H-3910 FILED *Adopted 4/19 (p. 1622)* BY THOMPSON of Polk
 APRIL 12, 1979 HORN of Linn

SENATE FILE 93

H-3916

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, line 3, by inserting after the word
 4 "Act" the words "other than controlled substances
 5 as defined in chapter two hundred four (204) of the
 6 Code".
 7 2. Page 3, by inserting after line 13 the
 8 following:
 9 "The provisions of this Act shall not apply to
 10 nor authorize the possession or dispensing of
 11 controlled substances as defined in chapter two hundred
 12 four (204) of the Code by certified licensed
 13 optometrists."

H-3916 FILED *Adopted 4/14 (p. 1231)* BY CHIODO of Polk
 APRIL 12, 1979 KIRKENSLAGER of Des Moines

SENATE FILE 93

H-3927

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, lines 8 and 9, by striking the words
 4 "licensed medical or osteopathic physician" and
 5 inserting in lieu thereof the words and figures "person
 6 licensed under chapter one hundred forty-eight (148)
 7 or one hundred fifty A (150A) of the Code."
 8 2. Page 2, line 28, by striking the word
 9 "physicians" and inserting in lieu thereof the words
 10 and figures "persons licensed under chapter one hundred
 11 forty-eight (148) or one hundred fifty A (150A)
 12 of the Code".

H-3927 FILED *Adopted 4/19 (p. 1627)* BY WEST of Marshall
 APRIL 12, 1979 BYERLY of Polk

SENATE FILE 93

H-3877

1 Amend Senate File 93 as amended, passed and re-
 2 printed by the Senate as follows:
 3 1. Page 1, by striking lines 5 and 6 and insert-
 4 ing in lieu thereof the words "may topically apply
 5 those diagnostic agents which the state department
 6 of health by rule approves for use by certified
 7 licensed optometrists to determine the".

H-3877 FILED *Luna 4/19 (p. 1646)* BY BRANDT of Black Hawk
 APRIL 11, 1979

SENATE FILE 93

H-3892

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking line 35 through page 2,
 4 line 2, and inserting in lieu thereof the following:
 5 "licensed optometrist and graduated from a school
 6 of optometry after January 1, 1971 shall first
 7 satisfactorily complete a course of at least one
 8 hundred contact hours in pharmacology. If the
 9 optometrist did not graduate from a school of optometry
 10 prior to January 1, 1971, he or she must satisfactorily
 11 complete a course of at least two hundred contact
 12 hours in pharmacology. The course must be in".

H-3892 FILED *H/Draper 4/19 (p. 1645)* BY LURA of Marshall
 APRIL 12, 1979

SENATE FILE 93

H-3896

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking line 5 and inserting in
 4 lieu thereof the words "may employ cycloplegics and
 5 mydriatics".

H-3896 FILED *Luna 4/14 (p. 1647)* BY KIRKENSLAGER of Des Moines
 APRIL 12, 1979

SENATE FILE 93

H-3688

1 Amend Senate File 93, as passed by the Senate and
 2 reprinted, as follows:
 3 1. Page 1, line 9, by inserting after the word
 4 "physician." the following: "The dispensing or admin-
 5 istration of any drug including prescription, non-
 6 prescription or controlled substances for the purpose
 7 of treatment of any disease or abnormal conditon of
 8 the human eye except contact lens wetting agents is
 9 prohibited and nothing in this bill shall be construed
 10 to permit such treatment."

H-3688 FILED *H/S. Brown 4/19 (p. 1647)* BY HINKHOUSE of Cedar
 APRIL 2, 1979

SENATE FILE 93

H-3711

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 5 and 6 and inserting
 4 in lieu thereof the following: "may employ one-half
 5 percent and one percent tropicamide (mydriacyl), two
 6 and one-half percent neosynephrine and proparacaine
 7 (ophthaine) only as diagnostic agents topically applied
 8 to determine the".

H-3711 FILED *L. Clark 4/19 (p. 1645)* BY CLARK of Cerro Gordo
 APRIL 3, 1979

SENATE FILE 93

H-3719

1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 2, line 24, by striking the word "section"
 4 and inserting in lieu thereof the word "sections".
 5 2. Page 2, by inserting after line 29 the
 6 following:
 7 "NEW SECTION. An optometrist who has dilated a
 8 patient's eyes shall not dismiss the patient until
 9 the optometrist has examined the patient and determined
 10 that the patient's eyes have sufficiently returned
 11 to their state before dilation to allow the patient
 12 to travel safely. This section shall not apply if
 13 the patient is escorted by another person."

H-3719 FILED *H/S. Brown 4/19 (p. 1651)* BY JOHNSON of Woodbury
 APRIL 4, 1979

HOUSE AMENDMENT TO SENATE FILE 93

S-3572

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, lines 8 and 9, by striking the words
4 "licensed medical or osteopathic physician" and
5 inserting in lieu thereof the words and figures "person
6 licensed under chapter one hundred forty-eight (148)
7 or one hundred fifty A (150A) of the Code".
8 2. Page 2, line 28, by striking the word
9 "physicians" and inserting in lieu thereof the words
10 and figures "persons licensed under chapter one hundred
11 forty-eight (148) or one hundred fifty A (150A) of
12 the Code".

S-3572 FILED
APRIL 23, 1979

RECEIVED FROM THE HOUSE

Senate concurred 5/1/79 (1475)

SENATE FILE 93

AN ACT

RELATING TO THE USE OF DIAGNOSTIC PHARMACEUTICAL AGENTS BY
OPTOMETRISTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section one hundred fifty-four point one (154.1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Certified licensed optometrists may employ cycloplegics, mydriatics and topical anesthetics as diagnostic agents topically applied to determine the condition of the human eye for proper optometric practice or referral for treatment to a person licensed under chapter one hundred forty-eight (148) or one hundred fifty A (150A) of the Code. A certified licensed 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 diagnostic agents. A certified licensed 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 one hundred fifty-four point three (154.3), Code 1979, is amended by adding the following new subsections:

NEW SUBSECTION. A person applying to be licensed as an optometrist after January 1, 1980, shall also apply to be a certified licensed optometrist and shall, in addition to satisfactorily completing all requirements for a license to practice optometry, satisfactorily complete a course consisting of at least one hundred contact hours in pharmacology and receive clinical training as it applies to optometry with particular emphasis on the topical application of diagnostic agents to the human eye for the purpose of examination of the human eye, and the diagnosis of conditions of the human eye, at an institution accredited by a regional or professional accreditation organization which is recognized or approved by the council on postsecondary accreditation or the United States office of education.

NEW SUBSECTION. A person licensed as an optometrist prior to the effective date of this Act who applies to be a certified licensed optometrist shall first satisfactorily complete a course consisting of at least one hundred contact hours in pharmacology as it applies to optometry including clinical training as it applies to optometry with particular emphasis on the topical application of diagnostic agents to the human eye and possible adverse reactions thereto, for the purpose of examination of the human eye and the diagnosis of conditions of the human eye, provided by an institution accredited by a regional or professional accreditation organization which is recognized or approved by the council on postsecondary accreditation or the United States office of education, and approved by the board of optometry examiners.

NEW SUBSECTION. In addition to the examination required by section one hundred fifty-four point three (154.3),

subsection three (3) of the Code, a person applying to be a certified licensed optometrist shall also pass an examination prescribed by the optometry examiners in the subjects of physiology and pathology appropriate to the use of diagnostic pharmaceutical agents and diagnosis of conditions of the human eye, and pharmacology including systemic effects of ophthalmic diagnostic pharmaceutical agents and the possible adverse reactions thereto, authorized for use by optometrists by section one hundred fifty-four point one (154.1) of the Code.

Sec. 3. Chapter one hundred fifty-four (154), Code 1979, is amended by adding the following new section:

NEW SECTION. A certified licensed optometrist employing diagnostic pharmaceutical agents as authorized by this Act shall be held to the same standard of care in the use of such agents and in diagnosis as is common to persons licensed under chapter one hundred forty-eight (148) or one hundred fifty A (150A) of the Code in this state.

Sec. 4. Section one hundred fifty-five point twenty-two (155.22), Code 1979, is amended to read as follows:

155.22 EXCEPTIONS. Sections 155.20 and 155.21 do not apply to sales by wholesalers of drugs and medicines to licensed physicians, dentists, podiatrists or veterinarians or to sales by wholesalers to certified licensed optometrists of those diagnostic pharmaceutical agents which are authorized for use by certified licensed optometrists pursuant to this Act.

Sec. 5. Section one hundred fifty-five point twenty-six (155.26), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section shall not apply to the possession by a certified licensed optometrist of those diagnostic agents which are authorized for use by certified licensed optometrists pursuant to this Act. The dispensing by pharmacists to certified licensed optometrists of those diagnostic agents which are authorized for use by certified licensed optometrists pursuant to this Act shall be permitted.

Sec. 6. This Act is effective January 1, 1980.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 93, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved June 8, 1979

ROBERT D. RAY
Governor