

**Senate File 2120 - Introduced**

SENATE FILE 2120  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 3057)

**A BILL FOR**

- 1 An Act relating to the practice of optometry.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 147.108, subsection 2, Code 2011, is  
2 amended to read as follows:

3 2. After contact lenses have been adequately adapted and  
4 the patient released from initial follow-up care by a person  
5 licensed under chapter 148 or 154, the patient may request  
6 a copy, at no cost, of the contact lens prescription from  
7 that licensed person. A person licensed under chapter 148 or  
8 154 shall not withhold a contact lens prescription after the  
9 requirements of this section have been met. The prescription,  
10 at the option of the prescriber, may be given orally only to a  
11 person who is actively practicing and licensed under chapter  
12 148, 154, or 155A. The contact lens prescription shall contain  
13 an expiration date, at the discretion of the prescriber, but  
14 not to exceed eighteen months. The contact lens prescription  
15 shall contain the necessary requirements of the ophthalmic  
16 lens, and the prescription validation requirements as defined  
17 by rules adopted pursuant to this section. The prescription  
18 may contain adapting and material guidelines and may also  
19 contain specific instructions for use by the patient. For  
20 the purpose of this section, "*ophthalmic lens*" means one which  
21 has been fabricated to fill the requirements of a particular  
22 contact lens prescription, including pharmaceutical-delivering  
23 contact lenses as defined in section 154.1, subsection 4 3.

24 Sec. 2. Section 154.1, Code 2011, is amended to read as  
25 follows:

26 **154.1 Board defined — optometry — ~~diagnostically certified~~**  
27 **~~licensed optometrists — therapeutically certified optometrists~~**  
28 **licensed optometrists.**

29 1. As used in this chapter, "*board*" means the board of  
30 optometry created under chapter 147.

31 2. For the purpose of this subtitle, the following classes  
32 of persons shall be deemed to be engaged in the practice of  
33 optometry:

34 a. Persons employing any means ~~other than the use of drugs,~~  
35 ~~medicine, or surgery~~ for the measurement of the visual power

1 and visual efficiency of the human eye; persons engaged in  
2 the prescribing and adapting of lenses, prisms, and contact  
3 lenses; ~~and~~ persons engaged in the using or employing of visual  
4 training or ocular exercise for the aid, relief, or correction  
5 of vision; and persons employing the use of medicines and  
6 procedures for the purposes of diagnosis and treatment of  
7 diseases or conditions of the eye and adnexa.

8     *b.* Persons who allow the public to use any mechanical device  
9 for a purpose described in paragraph "a".

10     *c.* Persons who publicly profess to be optometrists and to  
11 assume the duties incident to the profession.

12     ~~3. Diagnostically certified licensed optometrists may~~  
13 ~~employ cycloplegics, mydriatics, and topical anesthetics as~~  
14 ~~diagnostic agents topically applied to determine the condition~~  
15 ~~of the human eye for proper optometric practice or referral~~  
16 ~~for treatment to a person licensed under chapter 148. A~~  
17 ~~diagnostically certified licensed optometrist is an optometrist~~  
18 ~~who is licensed to practice optometry in this state and who is~~  
19 ~~certified by the board to use diagnostic agents.~~

20     ~~4. 3. a. Therapeutically certified optometrists~~ An  
21 optometrist licensed under this chapter may employ all  
22 diagnostic and therapeutic pharmaceutical agents for the  
23 purpose of diagnosis and treatment of conditions of the human  
24 eye and adnexa pursuant to this subsection, excluding the  
25 use of injections other than to counteract an anaphylactic  
26 reaction, and notwithstanding section 147.107, may without  
27 charge supply any of the above pharmaceuticals to commence a  
28 course of therapy. A licensed optometrist may perform minor  
29 surgical procedures and use medications for the diagnosis and  
30 treatment of diseases, disorders, and conditions of the eye and  
31 adnexa. A license to practice optometry under this chapter  
32 does not authorize the performance of surgical procedures  
33 which require the use of injectable or general anesthesia or  
34 penetration of the globe or the use of ophthalmic lasers for  
35 the purpose of ophthalmic surgery within or upon the globe.

1     ~~b. Therapeutically certified optometrists~~ A licensed  
2 optometrist may employ and, notwithstanding section 147.107,  
3 supply pharmaceutical-delivering contact lenses for the  
4 purpose of treatment of conditions of the human eye and adnexa.  
5 For purposes of this paragraph, "*pharmaceutical-delivering*  
6 *contact lenses*" means contact lenses that contain one or more  
7 therapeutic pharmaceutical agents authorized for employment  
8 by this section for the purpose of treatment of conditions of  
9 the human eye and adnexa and that deliver such agents into the  
10 wearer's eye.

11     ~~c. Therapeutically certified optometrists~~ A licensed  
12 optometrist may prescribe oral steroids for a period not to  
13 exceed fourteen days without consultation with a physician.  
14 ~~Therapeutically certified optometrists shall not prescribe oral~~  
15 ~~Imuran or oral Methotrexate.~~

16     ~~d. Therapeutically certified optometrists~~ A licensed  
17 optometrist may be authorized, where reasonable and  
18 appropriate, by rule of the board, to employ new diagnostic and  
19 therapeutic pharmaceutical agents approved by the United States  
20 food and drug administration on or after July 1, 2002, for the  
21 diagnosis and treatment of the human eye and adnexa.

22     ~~e. The board shall~~ is not be required to adopt rules  
23 relating to topical pharmaceutical agents, oral antimicrobial  
24 agents, oral antihistamines, oral antiglaucoma agents, and  
25 oral analgesic agents. ~~Superficial~~ A licensed optometrist may  
26 remove superficial foreign bodies ~~may be removed~~ from the human  
27 eye and adnexa.

28     ~~f. The therapeutic efforts of a therapeutically certified~~  
29 licensed optometrist are intended for the purpose of  
30 examination, diagnosis, and treatment of visual defects,  
31 abnormal conditions, and diseases of the human eye and adnexa,  
32 for proper optometric practice or referral for consultation or  
33 treatment to persons licensed under chapter 148.

34     ~~g. A therapeutically certified~~ licensed optometrist is  
35 an optometrist who is licensed to practice optometry in this

1 state and who is certified by the board to use the agents and  
2 procedures authorized pursuant to this subsection.

3 ~~5.~~ 4. Beginning July 1, 2012, all licensed optometrists  
4 shall meet requirements established by the board by rule to  
5 employ diagnostic and therapeutic pharmaceutical agents for the  
6 practice of optometry. All licensees practicing optometry in  
7 this state shall have demonstrated qualifications and obtained  
8 certification to use diagnostic and therapeutic pharmaceutical  
9 agents as a condition of license renewal.

10 Sec. 3. Section 154.10, Code 2011, is amended to read as  
11 follows:

12 **154.10 Standard of care.**

13 ~~1. A diagnostically certified licensed optometrist  
14 employing diagnostic pharmaceutical agents as authorized by  
15 section 154.1 shall be held to the same standard of care in the  
16 use of such agents and in diagnosis as is common to persons  
17 licensed under chapter 148 in this state.~~

18 ~~2. A therapeutically certified person licensed as an  
19 optometrist employing pharmaceutical agents as authorized  
20 by section 154.1 pursuant to this chapter shall be held to  
21 the same standard of care in the use of such agents and in  
22 diagnosis and treatment as is common to persons licensed under  
23 chapter 148 in this state.~~

24 Sec. 4. Section 155A.21, subsection 2, Code 2011, is amended  
25 to read as follows:

26 2. Subsection 1 does not apply to a licensed pharmacy,  
27 licensed wholesaler, physician, veterinarian, dentist,  
28 podiatric physician, ~~therapeutically certified optometrist,~~  
29 advanced registered nurse practitioner, physician assistant,  
30 a nurse acting under the direction of a physician, or the  
31 board of pharmacy, its officers, agents, inspectors, and  
32 representatives, or to a common carrier, manufacturer's  
33 representative, or messenger when transporting the drug or  
34 device in the same unbroken package in which the drug or device  
35 was delivered to that person for transportation.

EXPLANATION

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2 Under current law, only an optometrist who has been  
3 therapeutically certified by the board of optometry can employ  
4 all diagnostic and therapeutic pharmaceutical agents for the  
5 purpose of diagnosis and treatment of conditions of the human  
6 eye and adnexa. This bill eliminates the requirements for  
7 special certification.

8 Current law also requires that beginning July 1, 2012, all  
9 licensed optometrists shall meet requirements established  
10 by the board by rule to employ diagnostic and therapeutic  
11 pharmaceutical agents for the practice of optometry. All  
12 licensees practicing optometry in this state shall have  
13 demonstrated qualifications and obtained certification to use  
14 diagnostic and therapeutic pharmaceutical agents as a condition  
15 of license renewal.