

Stricken language would be deleted from and underlined language would be added to present law.
Act 1361 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H4/4/13 S4/9/13

A Bill

HOUSE BILL 2210

By: Representative S. Malone

By: Senator Irvin

For An Act To Be Entitled

*AN ACT TO AMEND THE DEFINITION AND THE LAW REGARDING
OPTOMETRY; AND FOR OTHER PURPOSES.*

Subtitle

*TO AMEND THE DEFINITION AND THE LAW
REGARDING OPTOMETRY.*

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

SECTION 1. Arkansas Code § 17-90-101(a)(3), concerning the definition of "practice of optometry", is amended to read as follows:

(3)(A) The "practice of optometry" shall include, but not be limited to, the prescribing and sale of eyeglasses and contact lenses, the prescribing and administering of all oral and topical drugs for the diagnosis or treatment only of conditions of the eye, lids, and adnexa ~~except those listed in Schedules I and II of the Uniform Controlled Substances Act, §§ 5-64-101—5-64-510,~~ and the prescribing and administering of epinephrine, benadryl, or other comparable medication for the emergency treatment of anaphylaxis or anaphylactic reactions.

(B) All licensed optometrists are prohibited from using ophthalmic lasers for surgical procedures, ~~from~~ performing cataract surgery, ~~from~~ performing radial keratotomy surgery, and ~~from~~ selling prescription drugs.

(C)(i) Optometrists are excluded from possessing, administering, or prescribing those pharmaceutical agents listed in Schedules I and II of the Uniform Controlled Substances Act, § 5-64-101 et seq., except



hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs.

(ii) A prescription written by an optometrist for hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs, is limited to no more than seventy-two (72) hours and no authorized refills

SECTION 2. Arkansas Code § 17-90-403 is amended to read as follows:
17-90-403. Authority to possess, administer, and prescribe.

(a) ~~One who~~ A person may possess, administer, and prescribe pharmaceutical agents for the diagnosis or treatment of conditions involving only the eye, lids, or adnexa if the person:

(1) ~~is~~ Is engaged in the practice of optometry as a profession as defined in § 17-90-101; and who

(2) ~~has~~ Has the education and professional competence as determined by the State Board of Optometry; and who

(3) ~~has~~ Has satisfied the educational requirements established by the State Board of Optometry from a college or university accredited by a regional or professional accreditation organization ~~which~~ that is recognized or approved by the ~~Council on Post-Secondary Accreditation~~ Council for Higher Education Accreditation, the United States Department of Education, or the ~~Arkansas Board of Higher Education~~ Arkansas Higher Education Coordinating Board; and

(4) ~~has~~ Has met the requirements of § 17-90-401 ~~is authorized to possess, administer, and prescribe pharmaceutical agents for the diagnosis or treatment only of conditions of the eye, lids, or adnexa.~~

(b)(1) ~~except those~~ Optometrists shall not possess, administer, or prescribe the pharmaceutical agents listed in Schedules I and II of the Uniform Controlled Substances Act, ~~§§ 5-64-101—5-64-510~~ § 5-64-101 et seq., except hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs.

(2) A prescription written by an optometrist for hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs, is limited to no more than seventy-two (72) hours and no authorized refills.

/s/S. Malone

APPROVED: 04/18/2013