

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1253

By: Representative Magie

For An Act To Be Entitled

AN ACT TO AUTHORIZE A LICENSED DISPENSING OPTICIAN TO
REFRACT EYES AND DISPENSE EYEGLASSES IN CERTAIN
CONDITIONS; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE A LICENSED DISPENSING
OPTICIAN TO REFRACT EYES AND DISPENSE
EYEGLASSES IN CERTAIN CONDITIONS.

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

SECTION 1. Arkansas Code § 17-89-102(4)(B), concerning the definition of "ophthalmic dispensing", is amended to add an additional subdivision to read as follows:

(v) The performance of refracting without a prescription.

SECTION 2. Arkansas Code § 17-89-102, concerning the definitions concerning ophthalmic dispensers, is amended to add an additional subdivision to read as follows:

(8) "Refraction" or "refracting" means the measuring and examining of certain refractive errors of the eyes that may indicate the need for corrective lenses.

SECTION 3. Arkansas Code § 17-89-104(c), concerning the prohibition of the practice of optometry or medicine by a licensed dispensing optician, is amended to read as follows:



(c) ~~Nothing in this chapter shall be construed to~~ Except as authorized by § 17-89-102(4) and § 17-89-409, this chapter does not authorize or permit any licensed or registered dispensing optician or any other person except a licensed optometrist or licensed physician skilled in disease of the eye to undertake or hold himself or herself out as being able:

(1) To examine eyes by any objective or subjective method or exercise eyes;

(2) To undertake by any method or means the measurement of the cornea of the human eye; or

(3) To examine, prescribe, diagnose, treat, or correct for visual deficiency.

SECTION 4. Arkansas Code Title 17, Chapter 89, Subchapter 4, is amended to add an additional section to read as follows:

17-89-409. Refraction.

(a) The Arkansas Board of Dispensing Opticians shall adopt rules concerning the performance of refraction by a licensed dispensing optician, including the appropriate education requirements to perform refraction.

(b) A licensed dispensing optician shall:

(1) Only dispense eyeglasses after performing a refraction if the patient's visual acuity is correctable to 20/20; and

(2) Advise the patient that a refraction is not a complete eye examination and that the patient should visit a licensed optometrist or licensed physician skilled in disease of the eye for a complete evaluation and follow-up care.