

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 239 — Practice of Optometry

by Health and Human Services Committee; Health Quality Subcommittee; Reps. Caldwell, Williams, A., and others (CS/CS/SB 278 by Appropriations Committee; Health Policy Committee; and Senators Richter and Grimsley)

The bill (Chapter 2013-26, L.O.F.) authorizes licensed certified optometrists to administer or prescribe oral ocular pharmaceutical agents, including statutorily specified analgesics which are controlled substances, for the relief of pain due to ocular conditions of the eye and its appendages. The 14 oral ocular pharmaceutical agents that may be administered or prescribed by a certified optometrist are identified in a statutory formulary. The bill repeals the formulary committee and authorizes the Board of Optometry to establish and update the formulary for topical ocular pharmaceutical agents.

Before administering or prescribing oral ocular pharmaceutical agents, the certified optometrist must provide proof to the Department of Health of successful completion of a course and examination on general and ocular pharmaceutical agents and the side effects of those agents. The first course and examination must be presented by October 1, 2013. The 20-hour course and examination may satisfy 20 hours of continuing education for the optometrist.

The bill provides a definition of ocular pharmaceutical agent as a pharmaceutical agent that is administered topically or orally for the diagnosis or treatment of ocular conditions of the human eye and its appendage without the use of surgery or other invasive techniques. Additionally, a definition of surgery is provided and certain procedures under the practice of optometry are excluded from this definition.

A procedure for the co-management of post-operative care by the surgeon and the optometrist is specified in law, which includes certain disclosures to the patient and the patient's consent to the co-management of care. Any adverse incident, as defined in this law, that is attributable to the prescription of an oral ocular pharmaceutical agent by a certified optometrist must be reported to the Department of Health.

The bill prohibits an optometrist from prescribing, ordering, dispensing, administering, supplying, selling, or giving any drug for the purpose of treating a systemic disease. A certified optometrist is authorized to perform eye examinations, including a dilated examination, related to pugilistic exhibitions (boxing, kickboxing, or mixed martial arts matches). The bill also authorizes an optometrist to operate a clinical laboratory to treat his or her own patients and requires other clinical laboratories to accept specimens submitted for examination by an optometrist.

The bill prohibits a certified optometrist from administering or prescribing a controlled substance listed in Schedule I or Schedule II.

If approved by the Governor, these provisions take effect July 1, 2013.

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Vote: Senate 40-0; House 116-0