

1                   A bill to be entitled  
2           An act relating to optometry; amending s. 463.002,  
3           F.S.; providing and revising definitions; amending s.  
4           463.003, F.S.; revising membership requirements for  
5           the Board of Optometry; providing construction;  
6           amending s. 463.005, F.S.; revising and providing  
7           rules to be implemented by the board; amending s.  
8           463.0055, F.S.; revising requirements for the  
9           administration and prescription of ocular  
10          pharmaceutical agents; revising provisions relating to  
11          the topical and oral ocular pharmaceutical agent  
12          formularies established by the board; creating s.  
13          463.0056, F.S.; authorizing an optometrist certified  
14          in ophthalmic procedures to perform certain  
15          procedures; providing certification requirements;  
16          excluding specified procedures; amending s. 463.006,  
17          F.S.; requiring a certified optometrist desiring to be  
18          licensed as a certified optometrist to submit to a  
19          background screening and successfully complete and  
20          pass a specified course and examination; requiring the  
21          board to determine the required content, grading  
22          criteria, and passing score for such examination;  
23          revising the timeline in which an applicant may  
24          successfully pass the licensure examination; amending  
25          s. 463.007, F.S.; revising conditions of licensure to

26 include the successful completion and passage of a  
27 specified course and examination; amending s.  
28 463.0135, F.S.; providing authorized procedures a  
29 certified optometrist may perform in the standards of  
30 practice; defining the term "superficial foreign  
31 bodies"; requiring a licensed practitioner to display  
32 specified signs at his or her practice under certain  
33 circumstances; amending s. 463.014, F.S.; providing  
34 penalties; removing a provision prohibiting surgery of  
35 any kind; creating s. 463.0185, F.S.; authorizing  
36 specified titles and abbreviations for certified  
37 optometrists; creating s. 463.0186, F.S.; providing  
38 requirements for advertisements; providing penalties;  
39 providing that certain licensed persons are fully  
40 responsible for the content of all advertisements  
41 before publication; creating s. 463.0187, F.S.;  
42 providing requirements for the demonstration of  
43 financial responsibility as a term of licensure;  
44 providing construction; amending ss. 463.009 and  
45 641.31, F.S.; conforming cross-references; providing  
46 an effective date.

47  
48 Be It Enacted by the Legislature of the State of Florida:

49  
50 **Section 1. Section 463.002, Florida Statutes, is amended**

51 **to read:**

52 463.002 Definitions.—As used in this chapter, the term:

53 (1) "Advertisement" and "advertising" means any  
54 statements, oral or written, disseminated to or before the  
55 public or any portion thereof, with the intent of furthering the  
56 purpose, either directly or indirectly, of selling professional  
57 services or ophthalmic goods, offering to perform professional  
58 services, or inducing members of the public to enter into any  
59 obligation relating to such professional services.

60 (2)~~(10)~~ "Appendages" means the eyelids, the eyebrows, the  
61 conjunctiva, and the lacrimal apparatus.

62 (3)~~(1)~~ "Board" means the Board of Optometry.

63 (4) "Certified optometrist" means a licensed practitioner  
64 authorized by the board to administer and prescribe ocular  
65 pharmaceutical agents.

66 (5)~~(12)~~ "Clock hours" means the actual time engaged in  
67 approved coursework and clinical training.

68 (6)~~(2)~~ "Department" means the Department of Health.

69 (7)~~(8)~~ "Direct supervision" means supervision to an extent  
70 that the licensee remains on the premises while all procedures  
71 are being done and gives final approval to any procedures  
72 performed by an employee.

73 (8)~~(9)~~ "General supervision" means the responsible  
74 supervision of supportive personnel by a licensee who need not  
75 be present when such procedures are performed, but who assumes

76 | legal liability therefor. Except in cases of emergency, "general  
77 | supervision" shall require the easy availability or physical  
78 | presence of the licensee for consultation with and direction of  
79 | the supportive personnel.

80 | (9)(3)(a) "Licensed practitioner" means a person who is a  
81 | primary health care provider licensed to engage in the practice  
82 | of optometry under ~~the authority of~~ this chapter. For persons  
83 | licensed under this chapter after July 1, 1993, the term  
84 | includes only certified optometrists.

85 | ~~(b) A licensed practitioner who is not a certified~~  
86 | ~~optometrist shall be required to display at her or his place of~~  
87 | ~~practice a sign which states, "I am a Licensed Practitioner, not~~  
88 | ~~a Certified Optometrist, and I am not able to prescribe ocular~~  
89 | ~~pharmaceutical agents."~~

90 | ~~(c) All practitioners initially licensed after July 1,~~  
91 | ~~1993, must be certified optometrists.~~

92 | (10)(5) "Ocular pharmaceutical agent" means a  
93 | pharmaceutical agent that is administered or prescribed  
94 | ~~topically or orally~~ for the diagnosis or treatment of ocular  
95 | conditions of the human eye and its appendages ~~without the use~~  
96 | ~~of surgery or other invasive techniques.~~

97 | (11) "Optometrist certified in ophthalmic procedures"  
98 | means a certified optometrist who may perform board-approved  
99 | laser and non-laser ophthalmic procedures and therapies under s.  
100 | 463.0056.

101        ~~(12)(7)~~ "Optometry" means the diagnosis, evaluation,  
102 treatment, and management of conditions of the human eye and its  
103 appendages, including any visual, muscular, neurological, or  
104 anatomical anomalies and chronic systemic conditions relating to  
105 the eye and its appendages; the determination of the refractive  
106 powers of the human eyes; and the prescribing and employment of  
107 any ~~objective or subjective~~ means or methods, including ~~the~~  
108 ~~administration of~~ ocular pharmaceutical agents, contact lenses,  
109 spectacle lenses, magnification lenses, orthoptic exercises,  
110 vision therapy, low vision rehabilitation devices,  
111 electromagnetic waves, pulsating light and light frequencies,  
112 ophthalmic procedures and therapies, and neuro-optometric  
113 rehabilitative therapy for the diagnosis, evaluation,  
114 correction, remedy, treatment, management, or relief of any  
115 insufficiency, anomaly, abnormality, or disease condition  
116 relating to the human eye or its appendages. For purposes of  
117 this subsection, the term "refractive" means the use of lenses  
118 and ocular pharmaceutical agents during the course of a  
119 comprehensive medical eye examination to determine a patient's  
120 visual, neurological, and physical requirements to attain  
121 optimal visual and perceptual performance. ~~for the purpose of~~  
122 ~~determining the refractive powers of the human eyes, or any~~  
123 ~~visual, muscular, neurological, or anatomic anomalies of the~~  
124 ~~human eyes and their appendages; and the prescribing and~~  
125 ~~employment of lenses, prisms, frames, mountings, contact lenses,~~

126 ~~orthoptic exercises, light frequencies, and any other means or~~  
127 ~~methods, including ocular pharmaceutical agents, for the~~  
128 ~~correction, remedy, or relief of any insufficiencies or abnormal~~  
129 ~~conditions of the human eyes and their appendages.~~

130 (13)~~(6)~~ "Surgery" means a procedure using an instrument,  
131 ~~including a laser, scalpel, or needle,~~ in which human tissue is  
132 cut, burned, scraped, except as provided in s. 463.0135(12) s.  
133 ~~463.014(4), or vaporized, by incision, injection, ultrasound,~~  
134 ~~laser, infusion, cryotherapy, or radiation.~~ The term includes a  
135 procedure using an instrument which requires the closure of  
136 human tissue by suture, clamp, or other such device. The term  
137 does not include an ophthalmic procedure that does not burn,  
138 cut, or incise the globe or require the closure of human tissue.

139 (14)~~(11)~~ "Transcript-quality" means a live and in-person  
140 course which is in conjunction with or sponsored by a school or  
141 college of optometry or equivalent educational entity, which  
142 course is approved by the board and requires a test and passing  
143 grade.

144 **Section 2. Subsections (2) and (4) of section 463.003,**  
145 **Florida Statutes, are amended to read:**

146 463.003 Board of Optometry.—

147 (2) Five members of the board must be certified  
148 optometrists or optometrists certified in ophthalmic procedures  
149 ~~licensed practitioners~~ actively practicing in this state. The  
150 remaining two members must be citizens of the state who are not,

151 and have never been, licensed practitioners and who are in no  
152 way connected with the practice of optometry or with any vision-  
153 oriented profession or business. At least one member of the  
154 board must be 60 years of age or older.

155 (4) All applicable provisions of chapter 456 relating to  
156 activities of regulatory boards that do not conflict with this  
157 chapter shall apply.

158 **Section 3. Subsection (1) of section 463.005, Florida**  
159 **Statutes, is amended to read:**

160 463.005 Authority of the board.—

161 (1) The Board of Optometry shall ~~has authority to~~ adopt  
162 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
163 provisions of this chapter conferring duties upon it. Such rules  
164 must ~~shall~~ include, but not be limited to, rules relating to all  
165 of the following:

166 (a) Standards of practice, including, but not limited to,  
167 those provided ~~for~~ in s. 463.0135.

168 (b) Minimum equipment that a certified optometrist, an  
169 optometrists certified in ophthalmic procedures, or ~~which~~ a  
170 licensed practitioner must ~~shall~~ at all times possess to  
171 lawfully engage in the practice of optometry.

172 (c) Minimum procedures that ~~which shall~~ constitute a  
173 visual examination. Except in cases of an emergency, a certified  
174 optometrist must conduct an initial patient examination in-  
175 person.

- 176 (d) Procedures for the safekeeping and transfer of  
177 prescription files or case records ~~upon the discontinuance of~~  
178 ~~practice.~~
- 179 (e) Supervision of supportive personnel.
- 180 (f) Courses and procedures for continuing education.
- 181 (g) Practices and procedures related to the administration  
182 and prescription of ocular pharmaceutical agents.
- 183 (h) Laser and non-laser ophthalmic procedures and  
184 therapies an optometrist certified in ophthalmic procedures may  
185 perform, including, but not limited to, the standards of  
186 practice for such ophthalmic procedures and therapies.
- 187 (i) The scope of practice of optometry, including  
188 ophthalmic procedures, as described in this chapter.
- 189 (j) Required content, grading criteria, and passing scores  
190 for licensure examinations under s. 463.006.
- 191 (k) The accredited schools or colleges of optometry that  
192 are approved by the board for the purpose of licensure under s.  
193 463.006.
- 194 (l) Terms and titles permitted for use in advertisements  
195 by persons licensed under this section and providers registered  
196 under s. 456.47(4).
- 197 (m) Standards for the use of telehealth by providers  
198 licensed under this section and providers registered under s.  
199 456.47(4).
- 200 (n) Requirements to obtain and maintain an out-of-state



201 telehealth provider registration as provided under s. 456.47(4),  
 202 including, but not limited to, application requirements,  
 203 continuing education requirements, scope of practice, standards  
 204 of practice, and renewal process for registration.  
 205 Notwithstanding s. 456.47(4), the board may not approve any  
 206 applicant for out-of-state telehealth registration who does not  
 207 hold a license issued by another state, the District of  
 208 Columbia, or a territory of the United States that is  
 209 substantially similar to a license held by a certified  
 210 optometrist under this chapter. Notwithstanding s. 456.47(4), an  
 211 out-of-state telehealth provider registration as provided under  
 212 s. 456.47(4) is not valid for more than 2 years.

213 **Section 4. Section 463.0055, Florida Statutes, is amended**  
 214 **to read:**

215 463.0055 Administration and prescription of ocular  
 216 pharmaceutical agents.—

217 (1)(a) Certified optometrists may administer and prescribe  
 218 ocular pharmaceutical agents as provided in this section for the  
 219 diagnosis and treatment of ocular conditions of the human eye  
 220 and its appendages ~~without the use of surgery or other invasive~~  
 221 ~~techniques~~. However, a licensed practitioner who is not  
 222 certified may use topically applied anesthetics solely for the  
 223 purpose of glaucoma examinations, but is otherwise prohibited  
 224 from administering or prescribing ocular pharmaceutical agents.

225 (b) Before a certified optometrist may administer or

226 prescribe oral ocular pharmaceutical agents, the certified  
227 optometrist must provide proof to the department of successful  
228 completion of a course and subsequent examination, approved by  
229 the board, on general and ocular pharmaceutical agents and the  
230 side effects of those agents. The course shall consist of 20  
231 contact hours, all of which may be web-based. The ~~first~~ course  
232 ~~and examination shall be presented by October 1, 2013, and shall~~  
233 ~~be administered at least annually thereafter.~~ The course and  
234 examination shall be developed and offered jointly by a  
235 statewide professional association of physicians in this state  
236 accredited to provide educational activities designated for the  
237 American Medical Association Physician's Recognition Award (AMA  
238 PRA) Category 1 credit and a statewide professional association  
239 of licensed practitioners which provides board-approved  
240 continuing education on an annual basis. The board shall review  
241 and approve the content of the initial course and examination if  
242 the board determines that the course and examination adequately  
243 and reliably satisfy the criteria set forth in this section. The  
244 board shall thereafter annually review and approve the course  
245 and examination if the board determines that the content  
246 continues to adequately and reliably satisfy the criteria set  
247 forth in this section. Successful completion of the board-  
248 approved course and examination may be used by a certified  
249 optometrist to satisfy 20 hours of the continuing education  
250 requirements in s. 463.007(3), only for the biennial period in

251 | which the board-approved course and examination are taken. If a  
252 | certified optometrist does not complete a board-approved course  
253 | and examination under this section, the certified optometrist is  
254 | only authorized to administer and prescribe topical ocular  
255 | pharmaceutical agents. Beginning July 1, 2025, any person who  
256 | submits an application for licensure under this chapter must  
257 | successfully complete the course and examination as a  
258 | requirement for licensure.

259 |       (2) (a) The board shall establish a negative formulary of  
260 | ~~topical~~ ocular pharmaceutical agents that may not be prescribed  
261 | or ~~and~~ administered by a certified optometrist. ~~The formulary~~  
262 | ~~shall consist of those topical ocular pharmaceutical agents that~~  
263 | ~~are appropriate to treat or diagnose ocular diseases and~~  
264 | ~~disorders and that the certified optometrist is qualified to use~~  
265 | ~~in the practice of optometry. The board shall establish, add to,~~  
266 | ~~delete from, or modify the topical formulary by rule.~~  
267 | ~~Notwithstanding any provision of chapter 120 to the contrary,~~  
268 | ~~the topical formulary rule becomes effective 60 days from the~~  
269 | ~~date it is filed with the Secretary of State.~~

270 |       ~~(b) The formulary may be added to, deleted from, or~~  
271 | ~~modified according to the procedure described in paragraph (a).~~  
272 | ~~Any person who requests an addition, deletion, or modification~~  
273 | ~~of an authorized topical ocular pharmaceutical agent shall have~~  
274 | ~~the burden of proof to show cause why such addition, deletion,~~  
275 | ~~or modification should be made.~~

276 ~~(c) The State Surgeon General shall have standing to~~  
277 ~~challenge any rule or proposed rule of the board pursuant to s.~~  
278 ~~120.56. In addition to challenges for any invalid exercise of~~  
279 ~~delegated legislative authority, the administrative law judge,~~  
280 ~~upon such a challenge by the State Surgeon General, may declare~~  
281 ~~all or part of a rule or proposed rule invalid if it:~~

282 ~~1. Does not protect the public from any significant and~~  
283 ~~discernible harm or damages;~~

284 ~~2. Unreasonably restricts competition or the availability~~  
285 ~~of professional services in the state or in a significant part~~  
286 ~~of the state; or~~

287 ~~3. Unnecessarily increases the cost of professional~~  
288 ~~services without a corresponding or equivalent public benefit.~~

289  
290 ~~However, there shall not be created a presumption of the~~  
291 ~~existence of any of the conditions cited in this subsection in~~  
292 ~~the event that the rule or proposed rule is challenged.~~

293 ~~(b)(d)~~ Upon adoption of the negative formulary required by  
294 this section, and upon each addition, deletion, or modification  
295 to the formulary, the board shall mail a copy of the amended  
296 formulary to each certified optometrist and to each pharmacy  
297 licensed by the state.

298 ~~(3) In addition to the formulary of topical ocular~~  
299 ~~pharmaceutical agents established by rule of the board, there is~~  
300 ~~created a statutory formulary of oral ocular pharmaceutical~~

301 ~~agents, which includes the following agents:~~

302 ~~(a) The following analgesics or their generic or~~  
303 ~~therapeutic equivalents, which may not be administered or~~  
304 ~~prescribed for more than 72 hours without consultation with a~~  
305 ~~physician licensed under chapter 458 or chapter 459 who is~~  
306 ~~skilled in diseases of the eye:~~

- 307 ~~1. Tramadol hydrochloride.~~  
308 ~~2. Acetaminophen 300 mg with No. 3 codeine phosphate 30~~  
309 ~~mg.~~

310 ~~(b) The following antibiotics or their generic or~~  
311 ~~therapeutic equivalents:~~

- 312 ~~1. Amoxicillin with or without clavulanic acid.~~  
313 ~~2. Azithromycin.~~  
314 ~~3. Erythromycin.~~  
315 ~~4. Dicloxacillin.~~  
316 ~~5. Doxycycline/Tetracycline.~~  
317 ~~6. Keflex.~~  
318 ~~7. Minocycline.~~

319 ~~(c) The following antivirals or their generic or~~  
320 ~~therapeutic equivalents:~~

- 321 ~~1. Acyclovir.~~  
322 ~~2. Famciclovir.~~  
323 ~~3. Valacyclovir.~~

324 ~~(d) The following oral anti-glaucoma agents or their~~  
325 ~~generic or therapeutic equivalents, which may not be~~

326 ~~administered or prescribed for more than 72 hours:~~

327       1. ~~Acetazolamide.~~

328       2. ~~Methazolamide.~~

329

330 ~~Any oral ocular pharmaceutical agent that is listed in the~~  
331 ~~statutory formulary set forth in this subsection and that is~~  
332 ~~subsequently determined by the United States Food and Drug~~  
333 ~~Administration to be unsafe for administration or prescription~~  
334 ~~shall be considered to have been deleted from the formulary of~~  
335 ~~oral ocular pharmaceutical agents. The oral ocular~~  
336 ~~pharmaceutical agents on the statutory formulary set forth in~~  
337 ~~this subsection may not otherwise be deleted by the board, the~~  
338 ~~department, or the State Surgeon General.~~

339       (3)~~(4)~~ A certified optometrist shall be issued a  
340 prescriber number by the board. Any prescription written by a  
341 certified optometrist for an ocular pharmaceutical agent  
342 pursuant to this section shall have the prescriber number  
343 printed thereon. A certified optometrist may not administer or  
344 prescribe any of the following:

345       (a) A controlled substance listed in Schedule II, Schedule  
346 III, Schedule IV, or Schedule V of s. 893.03, except for an oral  
347 analgesic ~~placed on the formulary pursuant to this section for~~  
348 the relief of pain due to ocular conditions of the eye and its  
349 appendages; or.

350       (b) A controlled substance for the treatment of chronic

351 nonmalignant pain as defined in s. 456.44(1)(f).

352 **Section 5. Section 463.0056, Florida Statutes, is created**  
353 **to read:**

354 463.0056 Ophthalmic procedures and therapies.—

355 (1)(a) An optometrist certified in ophthalmic procedures  
356 may perform laser and non-laser ophthalmic procedures and  
357 therapies as authorized by the board but may not perform an  
358 ophthalmic procedure or therapy that requires preoperative  
359 medications or drug-induced alteration of consciousness.  
360 However, an optometrist certified in ophthalmic procedures may  
361 use medication for minimal tranquilization of the patient and  
362 local or topical anesthesia if the chances of complications  
363 requiring hospitalization of the patient as a result are remote.

364 (b) To be certified to perform ophthalmic procedures, a  
365 certified optometrist must first provide proof to the department  
366 of successful completion of a course and subsequent examination,  
367 approved by the board, on laser and non-laser ophthalmic  
368 procedures and therapy. The course and examination shall be  
369 developed and offered jointly by a statewide professional  
370 association of physicians in this state accredited to provide  
371 educational activities designated for the American Medical  
372 Association Physician's Recognition Award Category 1 credit and  
373 a statewide professional association of licensed practitioners  
374 which provides board-approved continuing education on an annual  
375 basis. The board shall review and approve the content of the

376 initial course and examination if the board determines that the  
377 course and examination adequately and reliably satisfy the  
378 criteria provided in this section. The board shall thereafter  
379 annually review and approve the examination if the board  
380 determines that the content continues to adequately and reliably  
381 satisfy the criteria provided in this section. Successful  
382 completion of the board-approved course and examination may be  
383 used by a certified optometrist to satisfy the continuing  
384 education requirements in s. 463.007(3) only for the biennial  
385 period in which the board-approved course and examination are  
386 taken. If a certified optometrist does not complete a board-  
387 approved course and examination under this section, the  
388 certified optometrist may not perform ophthalmic procedures  
389 described in paragraph (a).

390 (2) The following ophthalmic procedures are excluded from  
391 the scope of practice of optometry, except for the preoperative  
392 and postoperative care of these procedures:

393 (a) Laser vision correction, penetrating keratoplasty, and  
394 corneal or lamellar keratoplasty.

395 (b) Laser of the vitreous chamber or retina of the eye to  
396 treat any vitreomacular or retinal disease.

397 (c) Surgery of the eyelid for suspected eyelid  
398 malignancies or for incisional cosmetic or mechanical repair of  
399 blepharochalasis, ptosis, or tarsorrhaphy.

400 (d) Surgery of the boney orbit, including, but not limited



401 to, orbital implants or removal of the human eye.

402 (e) Incisional or excisional surgery of the lacrimal  
403 system other than lacrimal probing or related procedures.

404 (f) Surgery requiring full thickness incision or excision  
405 of the cornea or sclera other than paracentesis in an emergency  
406 situation requiring immediate reduction of elevated pressure  
407 inside the eye.

408 (g) Surgery requiring incision or excision by scalpel of  
409 the iris and ciliary body, including, but not limited to, iris  
410 diathermy or cryotherapy.

411 (h) Surgery requiring incision or excision of the vitreous  
412 or retina.

413 (i) Surgery requiring incision or excision of the  
414 crystalline lens or an intraocular prosthetic implant.

415 (j) Surgery involving incision or excision of the  
416 extraocular muscles.

417 (k) Surgery requiring full thickness conjunctivoplasty  
418 with graft or flap.

419 (l) Pterygium surgery.

420 (m) Any other procedure or therapy as determined by the  
421 board.

422 **Section 6. Section 463.006, Florida Statutes, is amended**  
423 **to read:**

424 463.006 Licensure and certification by examination.—

425 (1) Any person desiring to be a certified optometrist

426 ~~under licensed practitioner pursuant to~~ this chapter must apply  
427 to the department, submit to background screening in accordance  
428 with s. 456.0135, and must submit proof to the department that  
429 she or he meets all of the following criteria:

430 (a) Has completed the application forms as required by the  
431 board, remitted an application fee for certification not to  
432 exceed \$250, remitted an examination fee for certification not  
433 to exceed \$250, and remitted an examination fee for licensure  
434 not to exceed \$325, all as set by the board.

435 (b) Is at least 18 years of age.

436 (c) Has graduated from an accredited school or college of  
437 optometry approved by rule of the board.

438 (d) Is of good moral character.

439 (e) Has successfully completed at least 110 hours of  
440 transcript-quality coursework and clinical training in general  
441 and ocular pharmacology as determined by the board, at an  
442 institution that:

443 1. Has facilities for both didactic and clinical  
444 instructions in pharmacology; and

445 2. Is accredited by a regional or professional accrediting  
446 organization that is recognized and approved by the Commission  
447 on Recognition of Postsecondary Accreditation or the United  
448 States Department of Education.

449 (f) Has completed at least 1 year of supervised experience  
450 in differential diagnosis of eye disease or disorders as part of

451 the optometric training or in a clinical setting as part of the  
452 optometric experience.

453 (g) Has successfully completed and passed a course and  
454 examination as provided in s. 463.0055(1) (b) .

455 (2) The board shall approve a licensure examination  
456 consisting of the appropriate subjects and including applicable  
457 state laws and rules and general and ocular pharmacology with  
458 emphasis on the use and side effects of ocular pharmaceutical  
459 agents. The board may by rule substitute a national examination  
460 as part or all of the examination and, notwithstanding chapter  
461 456, may by rule offer a practical examination in addition to a  
462 written examination. The board shall determine the required  
463 content, grading criteria, and passing score for the licensure  
464 examination.

465 (3) Each applicant who submits proof satisfactory to the  
466 board that he or she has met the requirements of subsection (1),  
467 who successfully passes the licensure examination within 3 years  
468 before the date of application or within 3 years after the  
469 submission of an application, and who otherwise meets the  
470 requirements of this chapter is entitled to be licensed as a  
471 certified optometrist practitioner ~~and to be certified to~~  
472 ~~administer and prescribe ocular pharmaceutical agents in the~~  
473 ~~diagnosis and treatment of ocular conditions.~~

474 **Section 7. Subsection (4) of section 463.007, Florida**  
475 **Statutes, is renumbered as subsection (5) and a new subsection**

476 **(4) is added to that section, to read:**

477 463.007 Renewal of license; continuing education.—

478 (4) As of July 1, 2025, successful completion of the  
479 course and passage of the examination specified in s.  
480 463.0055(1)(b) is required as a condition of licensure renewal  
481 for any certified optometrist who has not already successfully  
482 completed the course and passed the examination.

483 **Section 8. Subsections (12) and (13) are added to section**  
484 **463.0135, Florida Statutes, to read:**

485 463.0135 Standards of practice.—

486 (12) Certified optometrists may remove superficial foreign  
487 bodies. For the purpose of this subsection, the term  
488 "superficial foreign bodies" means any foreign matter that is  
489 embedded in the conjunctiva or cornea that has not penetrated  
490 the globe. Notwithstanding the definition of surgery in s.  
491 463.002, a certified optometrist may provide any optometric care  
492 within the scope of practice of optometry as defined in s.  
493 463.002, including, but not limited to, removing an eyelash,  
494 removal of eyelid skin tags, removal of styes, ophthalmic  
495 procedures as defined and approved by the board, probing an  
496 uninflamed tear duct in a patient 18 years of age or older,  
497 blocking the puncta, or superficial scraping for the purpose of  
498 removing damaged epithelial tissue or superficial foreign bodies  
499 or taking a culture of the surface of the cornea or conjunctiva.

500 (13) A licensed practitioner who is not a certified

501 optometrist is required to display at her or his place of  
502 practice a sign that states, "I am a Licensed Practitioner, not  
503 a Certified Optometrist, and I am not able to prescribe ocular  
504 pharmaceutical agents or perform ophthalmic procedures."

505 **Section 9. Subsections (1), (4), and (5) of section**  
506 **463.014, Florida Statutes, are amended, to read:**

507 463.014 Certain acts prohibited.—

508 (1) (a) A ~~No~~ corporation, lay body, organization, or  
509 individual other than a licensed practitioner may not ~~shall~~  
510 engage in the practice of optometry through the means of  
511 engaging the services, upon a salary, commission, or other means  
512 or inducement, of any person licensed to practice optometry in  
513 this state. ~~Nothing in~~ This section does not ~~shall be deemed to~~  
514 prohibit the association of a licensed practitioner with a  
515 multidisciplinary group of licensed health care professionals,  
516 the primary objective of which is the diagnosis and treatment of  
517 the human body.

518 (b) A ~~No~~ licensed practitioner may not ~~shall~~ engage in the  
519 practice of optometry with any corporation, organization, group,  
520 or lay individual. This paragraph does ~~provision shall~~ not  
521 prohibit licensed practitioners from employing, or from forming  
522 partnerships or professional associations with, licensed  
523 practitioners licensed in this state or with other licensed  
524 health care professionals, the primary objective of whom is the  
525 diagnosis and treatment of the human body.

526 (c) A ~~No~~ rule of the board may not ~~shall~~ forbid the  
527 practice of optometry in or on the premises of a commercial or  
528 mercantile establishment. Notwithstanding this paragraph, a  
529 commercial or mercantile establishment or other such entity may  
530 not have any control over the manner in which a licensee under  
531 this chapter practices optometry. Any violation of this  
532 paragraph will be deemed as unlicensed practice of optometry as  
533 specified in s. 463.015(1)(a). Individual owners, officers, or  
534 directors of any commercial or mercantile establishment or other  
535 such entity in violation of this section will be deemed to have  
536 committed the unlicensed practice of optometry.

537 (d) A ~~No~~ licensed practitioner may not practice under  
538 practice identification names, trade names, or service names,  
539 unless any dissemination of information by the practitioner to  
540 consumers contains the name under which the practitioner is  
541 licensed or that of the professional association in which the  
542 practitioner participates. Any advertisement or other  
543 dissemination of information to consumers may contain factual  
544 information as to the geographic location of licensed  
545 practitioners or of the availability of optometric services.

546 (e) A ~~No~~ licensed practitioner may not ~~shall~~ adopt and  
547 publish or cause to be published any practice identification  
548 name, trade name, or service name which is, contains, or is  
549 intended to serve as an affirmation of the quality or  
550 competitive value of the optometric services provided at the

551 identified practice.

552 ~~(4) Surgery of any kind is expressly prohibited. Certified~~  
 553 ~~optometrists may remove superficial foreign bodies. For the~~  
 554 ~~purposes of this subsection, the term "superficial foreign~~  
 555 ~~bodies" means any foreign matter that is embedded in the~~  
 556 ~~conjunctiva or cornea but that has not penetrated the globe.~~  
 557 ~~Notwithstanding the definition of surgery as provided in s.~~  
 558 ~~463.002(6), a certified optometrist is not prohibited from~~  
 559 ~~providing any optometric care within the practice of optometry~~  
 560 ~~as defined in s. 463.002(7), such as removing an eyelash by~~  
 561 ~~epilation, probing an uninflamed tear duct in a patient 18 years~~  
 562 ~~of age or older, blocking the puncta by plug, or superficial~~  
 563 ~~scraping for the purpose of removing damaged epithelial tissue~~  
 564 ~~or superficial foreign bodies or taking a culture of the surface~~  
 565 ~~of the cornea or conjunctiva.~~

566 (4) ~~(5)~~ A ~~No~~ rule of the board may not ~~shall~~ prohibit a  
 567 licensed practitioner from authorizing a board-certified  
 568 optician to fill, fit, adapt, or dispense a contact lens  
 569 prescription as authorized under chapter 484.

570 **Section 10. Section 463.009, Florida Statutes, is amended**  
 571 **to read:**

572 463.009 Supportive personnel.—No person other than a  
 573 licensed practitioner may engage in the practice of optometry as  
 574 defined in s. 463.002 ~~s. 463.002(7)~~. Except as provided in this  
 575 section, under no circumstances shall nonlicensed supportive

576 personnel be delegated diagnosis or treatment duties; however,  
577 such personnel may perform data gathering, preliminary testing,  
578 prescribed visual therapy, and related duties under the direct  
579 supervision of the licensed practitioner. Nonlicensed personnel,  
580 who need not be employees of the licensed practitioner, may  
581 perform ministerial duties, tasks, and functions assigned to  
582 them by and performed under the general supervision of a  
583 licensed practitioner, including obtaining information from  
584 consumers for the purpose of making appointments for the  
585 licensed practitioner. The licensed practitioner shall be  
586 responsible for all delegated acts performed by persons under  
587 her or his direct and general supervision.

588 **Section 11. Section 463.0185, Florida Statutes, is created**  
589 **to read:**

590 463.0185 Certified optometrist titles and abbreviations.-  
591 An optometrist licensed under chapter 463 may use the following  
592 titles and abbreviations as applicable to his or her license and  
593 certification, including "optometrist," "licensed optometrist,"  
594 "Doctor of Optometry," "O.D.," "optometric physician," "board  
595 certified optometrist," "American Board of Optometry (ABO)  
596 certified," "Fellow of the American Academy of Optometry,"  
597 "Fellow of the College of Optometrists in Vision Development,"  
598 "Residency-trained," "Diplomate of the American Board of  
599 Optometry," or other titles or abbreviations authorized under  
600 his or her practice act.



601           **Section 12. Section 463.0186, Florida Statutes, is created**  
602 **to read:**

603           463.0186 Advertisements.—

604           (1) All advertisements must clearly denote with words or  
605 proper abbreviation that the optometrist is engaged in the  
606 practice of optometry.

607           (2) An individual licensed under this chapter may use  
608 appropriate terms and titles, as determined by the board, in  
609 advertisements to describe certifications and education the  
610 licensed individual has successfully achieved.

611           (3) A person or entity other than an individual licensed  
612 under this chapter, or an entity lawfully permitted to employ an  
613 individual licensed under this chapter, is not permitted to  
614 advertise for optometric services. Any violation of this section  
615 will be deemed the unlicensed practice of optometry as provided  
616 in s. 463.015(1)(a). Individual owners, officers, and directors  
617 of an entity in violation of this section will be deemed to have  
618 committed the unlicensed practice of optometry.

619           (4) An individual licensed under this chapter has the duty  
620 to review and proof all advertisements before publication, and  
621 is fully responsible for the content therein.

622           **Section 13. Section 463.0187, Florida Statutes, is created**  
623 **to read:**

624           463.0187 Financial responsibility.—

625           (1) As a condition of licensure and maintaining an active

626 license, and before to the issuance or renewal of an active  
627 license or reactivation of an inactive license for the practice  
628 of optometry, an applicant must demonstrate to the satisfaction  
629 of the board financial responsibility to pay claims and costs  
630 ancillary thereto arising out of the rendering of, or the  
631 failure to render, optometric care or services, by one of the  
632 following methods:

633 (a) Establishing and maintaining an escrow account  
634 consisting of cash or assets eligible for deposit in accordance  
635 with s. 625.52 in the per claim amounts specified in paragraph  
636 (b). The required escrow amount provided in paragraph (b) may  
637 not be used for litigation costs or attorney fees for the  
638 defense of any malpractice claim;

639 (b) Obtaining and maintaining professional liability  
640 coverage in an amount not less than \$100,000 per claim, with a  
641 minimum annual aggregate of not less than \$300,000, from an  
642 authorized insurer as defined under s. 624.09, from an eligible  
643 surplus lines insurer as defined under s. 626.914(2), from a  
644 risk retention group as defined under s. 627.942, or through a  
645 plan of self-insurance as provided in s. 627.357. The required  
646 coverage amount set forth in this paragraph may not be used for  
647 litigation costs or attorney fees for the defense of any  
648 malpractice claim; or

649 (c) Obtaining and maintaining an unexpired, irrevocable  
650 letter of credit, established pursuant to chapter 675, in an

651 amount not less than \$100,000 per claim, with a minimum  
652 aggregate availability of credit of not less than \$300,000. The  
653 letter of credit must be payable to the optometrist as  
654 beneficiary upon presentment of a final judgment indicating  
655 liability and awarding damages to be paid by the optometrist or  
656 upon presentment of a settlement agreement signed by all parties  
657 to such agreement when such final judgment or settlement is a  
658 result of a claim arising out of the rendering of, or the  
659 failure to render, optometric care and services. The letter of  
660 credit may not be used for litigation costs or attorney fees for  
661 the defense of any malpractice claim. The letter of credit must  
662 be nonassignable and nontransferable and such letter of credit  
663 must be issued by any bank or savings association organized and  
664 existing under the laws of this state or any bank or savings  
665 association organized under the laws of the United States which  
666 has its principal place of business in this state or has a  
667 branch office that is authorized under the laws of this state or  
668 of the United States to receive deposits in this state.

669 (2) This section applies to individuals registered as an  
670 out-of-state telehealth provider under s. 456.47(4).

671 **Section 14. Subsection (19) of section 641.31, Florida**  
672 **Statutes, is amended to read:**

673 641.31 Health maintenance contracts.—

674 (19) Notwithstanding any other provision of law, health  
675 maintenance policies or contracts which provide coverage,

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676 | benefits, or services as described in s. 463.002 ~~s. 463.002(7)~~,  
677 | shall offer to the subscriber the services of an optometrist  
678 | licensed pursuant to chapter 463.

679 |       **Section 15.** This act shall take effect July 1, 2025.