

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" or "certified optometric  
64 physician" means a licensed practitioner authorized by the board  
65 to administer and prescribe ocular 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,~~

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

(13) "Refraction" means the use of lenses and ocular pharmaceutical agents during the course of a comprehensive medical eye examination to determine a patient's visual, neurological, and physical requirements to attain optimal visual and perceptual performance.

~~(14)(6) "Surgery" means a procedure using an instrument, including a laser, scalpel, or needle, in which human tissue is cut, burned, scraped, except as provided in s. 463.0135(12) s. 463.014(4), or vaporized, by incision, injection, ultrasound, laser, infusion, cryotherapy, or radiation. The term includes a procedure using an instrument which requires the closure of human tissue by suture, clamp, or other such device. The term does not include an ophthalmic procedure that does not burn, cut, or incise the globe or require the closure of human tissue.~~

~~(15)(11) "Transcript-quality" means a live and in-person course which is in conjunction with or sponsored by a school or college of optometry or equivalent educational entity, which course is approved by the board and requires a test and passing grade.~~

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

463.003 Board of Optometry.—

(2) Five members of the board must be certified  
optometrists or optometrists certified in ophthalmic procedures  
~~licensed practitioners~~ actively practicing in this state. The  
remaining two members must be citizens of the state who are not,  
and have never been, licensed practitioners and who are in no  
way connected with the practice of optometry or with any vision-  
oriented profession or business. At least one member of the  
board must be 60 years of age or older.

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

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

463.005 Authority of the board.—

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

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

(b) Minimum equipment that a certified optometrist, an  
optometrist certified in ophthalmic procedures, or ~~which a~~  
licensed practitioner must ~~shall~~ at all times possess to

176 lawfully engage in the practice of optometry.

177 (c) Minimum procedures that ~~which shall~~ constitute a  
178 visual examination.

179 (d) Procedures for the safekeeping and transfer of  
180 prescription files or case records ~~upon the discontinuance of~~  
181 ~~practice~~.

182 (e) Supervision of supportive personnel.

183 (f) Courses and procedures for continuing education.

184 (g) Practices and procedures related to the administration  
185 and prescription of ocular pharmaceutical agents.

186 (h) Laser and non-laser ophthalmic procedures and  
187 therapies an optometrist certified in ophthalmic procedures may  
188 perform, including, but not limited to, the standards of  
189 practice for such ophthalmic procedures and therapies.

190 (i) The scope of practice of optometry, including  
191 ophthalmic procedures, as described in this chapter.

192 (j) Required content, grading criteria, and passing scores  
193 for licensure examinations under s. 463.006.

194 (k) The accredited schools or colleges of optometry that  
195 are approved by the board for the purpose of licensure under s.  
196 463.006.

197 (l) Terms and titles permitted for use in advertisements  
198 by persons licensed under this section and providers registered  
199 under s. 456.47(4).

200 (m) Standards for the use of telehealth by providers



licensed under this section and providers registered under s.  
456.47(4).

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

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

463.0055 Administration and prescription of ocular  
pharmaceutical agents.—

(1)(a) Certified optometrists may administer and prescribe  
ocular pharmaceutical agents as provided in this section for the  
diagnosis and treatment of ocular conditions of the human eye  
and its appendages ~~without the use of surgery or other invasive  
techniques~~. However, a licensed practitioner who is not  
certified may use topically applied anesthetics solely for the

226 purpose of glaucoma examinations, but is otherwise prohibited  
227 from administering or prescribing ocular pharmaceutical agents.

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

251 approved course and examination may be used by a certified  
252 optometrist to satisfy 20 hours of the continuing education  
253 requirements in s. 463.007(3), only for the biennial period in  
254 which the board-approved course and examination are taken. If a  
255 certified optometrist does not complete a board-approved course  
256 and examination under this section, the certified optometrist is  
257 only authorized to administer and prescribe topical ocular  
258 pharmaceutical agents. Beginning July 1, 2025, any person who  
259 submits an application for licensure under this chapter must  
260 successfully complete the course and examination as a  
261 requirement for licensure.

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

273 ~~(b) The formulary may be added to, deleted from, or~~  
274 ~~modified according to the procedure described in paragraph (a).~~  
275 ~~Any person who requests an addition, deletion, or modification~~

276 ~~of an authorized topical ocular pharmaceutical agent shall have~~  
277 ~~the burden of proof to show cause why such addition, deletion,~~  
278 ~~or modification should be made.~~

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

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

287 ~~2. Unreasonably restricts competition or the availability~~  
288 ~~of professional services in the state or in a significant part~~  
289 ~~of the state; or~~

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

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

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

~~(3) In addition to the formulary of topical ocular pharmaceutical agents established by rule of the board, there is created a statutory formulary of oral ocular pharmaceutical agents, which includes the following agents:~~

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

~~1. Tramadol hydrochloride.~~

~~2. Acetaminophen 300 mg with No. 3 codeine phosphate 30 mg.~~

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

~~1. Amoxicillin with or without clavulanic acid.~~

~~2. Azithromycin.~~

~~3. Erythromycin.~~

~~4. Dicloxacillin.~~

~~5. Doxycycline/Tetracycline.~~

~~6. Keflex.~~

~~7. Minocycline.~~

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

~~1. Acyclovir.~~

~~2. Famciclovir.~~

326        ~~3. Valacyclovir.~~

327        ~~(d) The following oral anti-glaucoma agents or their~~  
328 ~~generic or therapeutic equivalents, which may not be~~  
329 ~~administered or prescribed for more than 72 hours:~~

330            ~~1. Acetazolamide.~~

331            ~~2. Methazolamide.~~

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

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

348            (a) A controlled substance listed in Schedule II, Schedule  
349 III, Schedule IV, or Schedule V of s. 893.03, except for an oral  
350 analgesic ~~placed on the formulary pursuant to this section for~~

the relief of pain due to ocular conditions of the eye and its appendages; ~~or-~~

(b) A controlled substance for the treatment of chronic nonmalignant pain as defined in s. 456.44(1)(f).

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

463.0056 Ophthalmic procedures and therapies.-

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

(b) To be certified to perform ophthalmic procedures, a certified optometrist must first provide proof to the department of successful completion of a course and subsequent examination, approved by the board, on laser and non-laser ophthalmic procedures and therapy. The course and examination shall be developed and offered jointly by a statewide professional association of physicians in this state accredited to provide educational activities designated for the American Medical Association Physician's Recognition Award Category 1 credit and

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

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

396 (a) Laser vision correction, penetrating keratoplasty, and  
397 corneal or lamellar keratoplasty.

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

400 (c) Surgery of the eyelid for suspected eyelid



401 malignancies or for incisional cosmetic or mechanical repair of  
402 blepharochalasis, ptosis, or tarsorrhaphy.

403 (d) Surgery of the boney orbit, including, but not limited  
404 to, orbital implants or removal of the human eye.

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

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

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

414 (h) Surgery requiring incision or excision of the vitreous  
415 or retina.

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

418 (j) Surgery involving incision or excision of the  
419 extraocular muscles.

420 (k) Surgery requiring full thickness conjunctivoplasty  
421 with graft or flap.

422 (l) Pterygium surgery.

423 (m) Any other procedure or therapy as determined by the  
424 board.

425 **Section 6. Section 463.006, Florida Statutes, is amended**

426 **to read:**

427 463.006 Licensure and certification by examination.—

428 (1) Any person desiring to be a certified optometrist  
429 under licensed practitioner pursuant to this chapter must apply  
430 to the department, submit to background screening in accordance  
431 with s. 456.0135, and must submit proof to the department that  
432 she or he meets all of the following criteria:

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

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

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

441 (d) Is of good moral character.

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

446 1. Has facilities for both didactic and clinical  
447 instructions in pharmacology; and

448 2. Is accredited by a regional or professional accrediting  
449 organization that is recognized and approved by the Commission  
450 on Recognition of Postsecondary Accreditation or the United

451 States Department of Education.

452 (f) Has completed at least 1 year of supervised experience  
453 in differential diagnosis of eye disease or disorders as part of  
454 the optometric training or in a clinical setting as part of the  
455 optometric experience.

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

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

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

~~diagnosis and treatment of ocular conditions.~~

(4) All optometrists initially licensed on or after July 1, 2025, must be licensed as a certified optometrist.

**Section 7. Subsection (4) of section 463.007, Florida Statutes, is renumbered as subsection (5) and a new subsection (4) is added to that section, to read:**

463.007 Renewal of license; continuing education.—

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

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

463.0135 Standards of practice.—

(12) Certified optometrists may remove superficial foreign bodies. For the purpose of this subsection, the term "superficial foreign bodies" means any foreign matter that is embedded in the conjunctiva or cornea that has not penetrated the globe. Notwithstanding the definition of surgery in s. 463.002, a certified optometrist may provide any optometric care within the scope of practice of optometry as defined in s. 463.002, including, but not limited to, removing an eyelash, removal of eyelid skin tags, removal of styes, ophthalmic procedures as defined and approved by the board, probing an

uninflamed tear duct in a patient 18 years of age or older,  
blocking the puncta, or superficial scraping for the purpose of  
removing damaged epithelial tissue or superficial foreign bodies  
or taking a culture of the surface of the cornea or conjunctiva.

(13) A licensed practitioner who is not a certified  
optometrist is required to display at her or his place of  
practice a sign that states, "I am a Licensed Practitioner, not  
a Certified Optometrist, and I am not able to prescribe ocular  
pharmaceutical agents or perform ophthalmic procedures."

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

463.014 Certain acts prohibited.—

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

(b) A ~~No~~ licensed practitioner may not ~~shall~~ engage in the  
practice of optometry with any corporation, organization, group,  
or lay individual. This paragraph does ~~provision shall~~ not

526 prohibit licensed practitioners from employing, or from forming  
527 partnerships or professional associations with, licensed  
528 practitioners licensed in this state or with other licensed  
529 health care professionals, the primary objective of whom is the  
530 diagnosis and treatment of the human body.

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

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

551 (e) A ~~No~~ licensed practitioner may not ~~shall~~ adopt and  
552 publish or cause to be published any practice identification  
553 name, trade name, or service name which is, contains, or is  
554 intended to serve as an affirmation of the quality or  
555 competitive value of the optometric services provided at the  
556 identified practice.

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

571 ~~(4)(5)~~ A ~~No~~ rule of the board may not ~~shall~~ prohibit a  
572 licensed practitioner from authorizing a board-certified  
573 optician to fill, fit, adapt, or dispense a contact lens  
574 prescription as authorized under chapter 484.

575 **Section 10. Section 463.009, Florida Statutes, is amended**

576 **to read:**

577       463.009 Supportive personnel.—No person other than a  
578 licensed practitioner may engage in the practice of optometry as  
579 defined in s. 463.002 ~~s. 463.002(7)~~. Except as provided in this  
580 section, under no circumstances shall nonlicensed supportive  
581 personnel be delegated diagnosis or treatment duties; however,  
582 such personnel may perform data gathering, preliminary testing,  
583 prescribed visual therapy, and related duties under the direct  
584 supervision of the licensed practitioner. Nonlicensed personnel,  
585 who need not be employees of the licensed practitioner, may  
586 perform ministerial duties, tasks, and functions assigned to  
587 them by and performed under the general supervision of a  
588 licensed practitioner, including obtaining information from  
589 consumers for the purpose of making appointments for the  
590 licensed practitioner. The licensed practitioner shall be  
591 responsible for all delegated acts performed by persons under  
592 her or his direct and general supervision.

593       **Section 11. Section 463.0185, Florida Statutes, is created**  
594 **to read:**

595       463.0185 Certified optometrist titles and abbreviations.—  
596 An optometrist licensed under chapter 463 may use the following  
597 titles and abbreviations as applicable to his or her license and  
598 certification, including "optometrist," "licensed optometrist,"  
599 "Doctor of Optometry," "O.D.," "optometric physician," "board  
600 certified optometrist," "board certified optometric physician,"



601 "American Board of Optometry (ABO) certified," "Fellow of the  
602 American Academy of Optometry," "Fellow of the College of  
603 Optometrists in Vision Development," "Residency-trained,"  
604 "Diplomate of the American Board of Optometry," or other titles  
605 or abbreviations authorized under his or her practice act.

606 **Section 12. Section 463.0186, Florida Statutes, is created**  
607 **to read:**

608 463.0186 Advertisements.—

609 (1) All advertisements must clearly denote with words or  
610 proper abbreviation that the optometrist is engaged in the  
611 practice of optometry.

612 (2) An individual licensed under this chapter may use  
613 appropriate terms and titles, as determined by the board, in  
614 advertisements to describe certifications and education the  
615 licensed individual has successfully achieved.

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

624 (4) An individual licensed under this chapter has the duty  
625 to review and proof all advertisements before publication, and

is fully responsible for the content therein.

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

463.0187 Financial responsibility.—

(1) As a condition of licensure and maintaining an active license, and before to the issuance or renewal of an active license or reactivation of an inactive license for the practice of optometry, an applicant must demonstrate to the satisfaction of the board financial responsibility to pay claims and costs ancillary thereto arising out of the rendering of, or the failure to render, optometric care or services, by one of the following methods:

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

(b) Obtaining and maintaining professional liability coverage in an amount not less than \$100,000 per claim, with a minimum annual aggregate of not less than \$300,000, from an authorized insurer as defined under s. 624.09, from an eligible surplus lines insurer as defined under s. 626.914(2), from a risk retention group as defined under s. 627.942, or through a plan of self-insurance as provided in s. 627.357. The required

651 coverage amount set forth in this paragraph may not be used for  
652 litigation costs or attorney fees for the defense of any  
653 malpractice claim; or

654 (c) Obtaining and maintaining an unexpired, irrevocable  
655 letter of credit, established pursuant to chapter 675, in an  
656 amount not less than \$100,000 per claim, with a minimum  
657 aggregate availability of credit of not less than \$300,000. The  
658 letter of credit must be payable to the optometrist as  
659 beneficiary upon presentment of a final judgment indicating  
660 liability and awarding damages to be paid by the optometrist or  
661 upon presentment of a settlement agreement signed by all parties  
662 to such agreement when such final judgment or settlement is a  
663 result of a claim arising out of the rendering of, or the  
664 failure to render, optometric care and services. The letter of  
665 credit may not be used for litigation costs or attorney fees for  
666 the defense of any malpractice claim. The letter of credit must  
667 be nonassignable and nontransferable and such letter of credit  
668 must be issued by any bank or savings association organized and  
669 existing under the laws of this state or any bank or savings  
670 association organized under the laws of the United States which  
671 has its principal place of business in this state or has a  
672 branch office that is authorized under the laws of this state or  
673 of the United States to receive deposits in this state.

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

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

641.31 Health maintenance contracts.—

(19) Notwithstanding any other provision of law, health maintenance policies or contracts which provide coverage, benefits, or services as described in s. 463.002 ~~s. 463.002(7)~~, shall offer to the subscriber the services of an optometrist licensed pursuant to chapter 463.

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