

Popular Name

AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF OPTOMETRY"

Ballot Title

An act to amend the Arkansas Code regarding the definition of "practice of optometry"; providing that the definition of "practice of optometry" is amended to permit licensed optometrists to use ophthalmic lasers for the following surgical procedures: perform injections (excluding intravenous or intraocular injections), incision and curettage of a chalazion, removal and biopsy of skin lesions with low risk of malignancy (excluding lesions involving the lid margin or nasal to the puncta), laser capsulotomy, and laser trabeculectomy; providing that licensed optometrists continue to be prohibited from using ophthalmic lasers for surgical procedures other than those previously identified, performing cataract surgery, performing radial keratotomy surgery, and selling prescription drugs; providing that the State Board of Optometry has the power and duty to establish credentialing requirements for a licensee to administer or perform the following procedures: injections (excluding intravenous or intraocular injections), incision and curettage of a chalazion, removal and biopsy of skin lesions with low risk of malignancy (excluding lesions involving the lid margin or nasal to the puncta), laser capsulotomy, and laser trabeculectomy; providing that the State Board of Optometry shall require every optometrist who meets the requirements for certification to perform authorized laser procedures to report to the board regarding the outcome of the procedures performed in a format as required or directed by the board, and these reports shall also be sent to the Department of Health; this act being Act No. 579 of the Regular Session of 2019.

BE IT REFERRED TO THE PEOPLE OF THE STATE OF ARKANSAS

(TEXT OF REFERRED ACT)

ACT NO. 579 OF 2019

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

(B) All licensed optometrists are prohibited from using ophthalmic lasers for surgical procedures except as permitted in subdivision (a)(3)(D) of this section, performing cataract surgery, performing radial keratotomy surgery, and selling prescription drugs.

Section 2. Arkansas Code § 17-90-101(a)(3), concerning the definition of “practice of optometry”, is amended to add an additional subdivision to read as follows:

(D) The “practice of optometry” includes the following procedures:

(i) Injections, excluding intravenous or intraocular injections;

(ii) Incision and curettage of a chalazion;

(iii) Removal and biopsy of skin lesions with low risk of malignancy, excluding lesions involving the lid margin or nasal to the puncta;

(iv) Laser capsulotomy; and

(v) Laser trabeculoplasty.

Section 3. Arkansas Code § 17-90-204, concerning the powers and duties of the State Board of Optometry, is amended to add an additional subdivision to read as follows:

(9) To establish credentialing requirements for a licensee to administer or perform procedures as listed in § 17-90-101(a)(3)(D).

Section 4. Arkansas Code Title 17, Chapter 90, Subchapter 2, is amended to add an additional section to read as follows:

17-90-206. Reporting requirements.

(a) The State Board of Optometry shall require every optometrist who meets the requirements for certification to perform authorized laser procedures to report to the board regarding the outcome of the procedures performed in a format as required or directed by the board.

(b) Reports under subsection (a) of this section shall also be sent to the Department of Health.