

SECOND REGULAR SESSION

# HOUSE BILL NO. 1963

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RILEY.

3132H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To repeal section 336.010, RSMo, and to enact in lieu thereof one new section relating to the practice of optometry, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 336.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 336.010, to read as follows:

336.010. 1. The "practice of optometry" is the examination, diagnosis, ~~[treatment, and preventative care]~~ **prevention, and treatment, surgical or nonsurgical**, of the eye, adnexa, and vision. The practice includes, but is not limited to:

(1) The examination of the eye, adnexa, and vision to determine the accommodative and refractive states, visual perception, conditions, and diseases;

(2) The diagnosis and treatment of conditions or diseases of the eye, adnexa, and vision;

(3) The performance of diagnostic procedures and ordering of laboratory and imaging tests for the diagnosis of vision and conditions and diseases of the eye and adnexa;

(4) The prescription and administration of pharmaceutical agents~~[-excluding injectable agents,]~~ for the purpose of examination, diagnosis, and treatment of vision and conditions or diseases of the eye and adnexa;

(5) The removal of superficial foreign bodies from the eye or adnexa;

(6) **Notwithstanding the provisions of any other law to the contrary, including section 334.010, the correction and relief of ocular abnormalities by surgical procedures not excluded under subsection 2 of this section;**

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (7) The employment of objective or subjective mechanical means to determine the  
18 accommodative or refractive states of the human eye;

19 ~~[(7)]~~ (8) The prescription or adaptation of lenses, prisms, devices, or ocular exercises  
20 to correct defects or abnormal conditions of the human eye or vision or to adjust the human  
21 eye to special conditions;

22 ~~[(8)]~~ (9) The prescription and fitting of ophthalmic or contact lenses and devices;

23 ~~[(9)]~~ (10) The prescription and administration of vision therapy; and

24 ~~[(10)]~~ (11) The prescription and administration of low vision care.

25 2. An optometrist ~~[may]~~ **shall** not perform ~~[surgery, including the use of lasers for~~  
26 ~~treatment of any disease or condition or for the correction of refractive error]~~ **the following**  
27 **procedures, except for the preoperative and postoperative care of these procedures:**

28 (1) **Retina laser procedures, laser-assisted in situ keratomileusis (LASIK), and**  
29 **photorefractive keratectomy (PRK);**

30 (2) **Nonlaser surgery related to removal of the eye from a living human being;**

31 (3) **Nonlaser surgery requiring full thickness incision or excision of the cornea or**  
32 **sclera other than paracentesis in an emergency situation requiring immediate reduction**  
33 **of the pressure inside the eye;**

34 (4) **Penetrating keratoplasty (corneal transplant) or lamellar keratoplasty;**

35 (5) **Nonlaser surgery requiring incision of the iris and ciliary body, including iris**  
36 **diathermy or cryotherapy;**

37 (6) **Nonlaser surgery requiring incision of the vitreous;**

38 (7) **Nonlaser surgery requiring incision of the retina;**

39 (8) **Nonlaser surgical extraction of the crystalline lens;**

40 (9) **Nonlaser surgical intraocular implants;**

41 (10) **Incisional or excisional nonlaser surgery of the extraocular muscles;**

42 (11) **Nonlaser surgery of the eyelid for eyelid malignancies or for incisional**  
43 **cosmetic or mechanical repair of blepharochalasis, ptosis, and tarsorrhaphy;**

44 (12) **Nonlaser surgery of the bony orbit, including orbital implants;**

45 (13) **Incisional or excisional nonlaser surgery of the lacrimal system other than**  
46 **lacrimal probing or related procedures;**

47 (14) **Nonlaser surgery requiring full thickness conjunctivoplasty with graft or**  
48 **flap;**

49 (15) **Any nonlaser surgical procedure that does not provide for the correction**  
50 **and relief of ocular abnormalities;**

51 (16) **Laser or nonlaser injection into the posterior chamber of the eye to treat**  
52 **any macular or retinal disease; and**

53 (17) **The administration of general anesthesia.**

54           3. As used in this chapter, except as the context may otherwise require, the following  
55 terms mean:

56           (1) "Eye", the human eye;

57           (2) "Adnexa", all structures adjacent to the eye and the conjunctiva, lids, lashes, and  
58 lacrimal system;

59           (3) "Board", the Missouri state board of optometry;

60           (4) "Diagnostic pharmaceutical agents", topically applied pharmaceuticals used for  
61 the purpose of conducting an examination of the eye, adnexa, and vision;

62           (5) "Low vision care", the examination, treatment, and management of patients with  
63 visual impairments not treatable by conventional eyewear or contact lenses and may include a  
64 vision rehabilitation program to enhance remaining vision skills;

65           (6) "Pharmaceutical agents", any diagnostic and therapeutic drug or combination of  
66 drugs that assist the diagnosis, prevention, treatment, or mitigation of abnormal conditions or  
67 symptoms of the human eye, adnexa, and vision;

68           (7) "Therapeutic pharmaceutical agents", those pharmaceuticals~~[, excluding~~  
69 ~~injectable agents,]~~ used for the treatment of conditions or diseases of the eye, adnexa, and  
70 vision;

71           (8) "Vision therapy", a treatment regiment to improve a patient's diagnosed visual  
72 dysfunctions, prevent the development of visual problems, or enhance visual performance to  
73 meet the defined needs of the patient.

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