

SENATE BILL REPORT

SB 5469

AS OF MARCH 4, 1991

Brief Description: Dispensing prescriptions for contact lenses.

SPONSORS: Senator Niemi.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Scott Plack (786-7409)

Hearing Dates: March 6, 1991

BACKGROUND:

Some of the state's pharmacies had been filling prescriptions for contact lenses. Typically in such cases the pharmacy forwards the prescription to a licensed provider authorized to manufacture contact lenses who then manufactures and returns the product to the pharmacy for dispensing to the patient. A recent decision from the state's Optometry Board concludes that pharmacies dispensing prescriptions are engaging in the practice of optometry. Some pharmacists argue that state law authorizes them to dispense "devices" which they believe also includes contact lenses. Devices are statutorily defined to include "instruments, apparatus and contrivances, including their components, parts and accessories, intended for the use in diagnosis, cure, mitigation, treatment, or prevention of disease in man."

SUMMARY:

The definition of devices in the pharmacy statutes is amended to specifically include contact lenses. The Optometry and Dispensing Optician Practice Acts are amended to exempt pharmacies dispensing prescriptions for contact lenses from licensure.

Appropriation: none

Revenue: none

Fiscal Note: none requested