
SENATE BILL 5535

State of Washington 59th Legislature 2005 Regular Session

By Senators Franklin, Brandland, Berkey, Spanel, Schoesler,
Rockefeller, Delvin, Kohl-Welles, Oke and Shin

Read first time 01/27/2005. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to optometry; amending RCW 18.53.010; providing an
2 effective date; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.53.010 and 2003 c 142 s 1 are each amended to read
5 as follows:

6 (1) The practice of optometry is defined as the examination of the
7 human eye, the examination and ascertaining any defects of the human
8 vision system and the analysis of the process of vision. The practice
9 of optometry may include, but not necessarily be limited to, the
10 following:

11 (a) The employment of any objective or subjective means or method,
12 including the use of drugs, for diagnostic and therapeutic purposes by
13 those licensed under this chapter and who meet the requirements of
14 subsections (2) and (3) of this section, and the use of any diagnostic
15 instruments or devices for the examination or analysis of the human
16 vision system, the measurement of the powers or range of human vision,
17 or the determination of the refractive powers of the human eye or its
18 functions in general; and

1 (b) The prescription and fitting of lenses, prisms, therapeutic or
2 refractive contact lenses and the adaption or adjustment of frames and
3 lenses used in connection therewith; and

4 (c) The prescription and provision of visual therapy, therapeutic
5 aids, and other optical devices; and

6 (d) The ascertainment of the perceptive, neural, muscular, or
7 pathological condition of the visual system; and

8 (e) The adaptation of prosthetic eyes.

9 (2)(a) Until January 1, 2008, those persons using topical drugs for
10 diagnostic purposes in the practice of optometry shall have a minimum
11 of sixty hours of didactic and clinical instruction in general and
12 ocular pharmacology as applied to optometry, as established by the
13 board, and certification from an institution of higher learning,
14 accredited by those agencies recognized by the United States office of
15 education or the council on postsecondary accreditation to qualify for
16 certification by the optometry board of Washington to use drugs for
17 diagnostic purposes. By January 1, 2008, all persons licensed under
18 this chapter must meet the requirements of (a) through (d) of this
19 subsection.

20 (b) Until January 1, 2008, those persons using or prescribing
21 topical drugs for therapeutic purposes in the practice of optometry
22 must be certified under (a) of this subsection, and must have an
23 additional minimum of seventy-five hours of didactic and clinical
24 instruction as established by the board, and certification from an
25 institution of higher learning, accredited by those agencies recognized
26 by the United States office of education or the council on
27 postsecondary accreditation to qualify for certification by the
28 optometry board of Washington to use drugs for therapeutic purposes.
29 By January 1, 2008, all persons licensed under this chapter must meet
30 the requirements of (a) through (d) of this subsection.

31 (c) Those persons using or prescribing drugs administered orally
32 for diagnostic or therapeutic purposes in the practice of optometry
33 shall be certified under (b) of this subsection, and shall have an
34 additional minimum of sixteen hours of didactic and eight hours of
35 supervised clinical instruction as established by the board, and
36 certification from an institution of higher learning, accredited by
37 those agencies recognized by the United States office of education or

1 the council on postsecondary accreditation to qualify for certification
2 by the optometry board of Washington to administer, dispense, or
3 prescribe oral drugs for diagnostic or therapeutic purposes.

4 (d) Those persons administering epinephrine by injection for
5 treatment of anaphylactic shock in the practice of optometry must be
6 certified under (b) of this subsection and must have an additional
7 minimum of four hours of didactic and supervised clinical instruction,
8 as established by the board, and certification from an institution of
9 higher learning, accredited by those agencies recognized by the United
10 States office of education or the council on postsecondary
11 accreditation to qualify for certification by the optometry board to
12 administer epinephrine by injection.

13 (e) Such course or courses shall be the fiscal responsibility of
14 the participating and attending optometrist.

15 (f)(i) All persons receiving their initial license under this
16 chapter on or after July 1, 2005, must meet the requirements of (a)
17 through (d) of this subsection.

18 (ii) All persons licensed under this chapter after January 1, 2010,
19 must meet the requirements of (a) through (d) of this subsection.

20 (3) The board shall establish a list of topical drugs for
21 diagnostic and treatment purposes limited to the practice of optometry,
22 and no person licensed pursuant to this chapter shall prescribe,
23 dispense, purchase, possess, or administer drugs except as authorized
24 and to the extent permitted by the board.

25 (4) The board must establish a list of oral Schedule III through V
26 controlled substances and any oral legend drugs, with the approval of
27 and after consultation with the board of pharmacy. No person licensed
28 under this chapter may use, prescribe, dispense, purchase, possess, or
29 administer these drugs except as authorized and to the extent permitted
30 by the board. No optometrist may use, prescribe, dispense, or
31 administer oral corticosteroids.

32 (a) The board, with the approval of and in consultation with the
33 board of pharmacy, must establish, by rule, specific guidelines for the
34 prescription and administration of drugs by optometrists, so that
35 licensed optometrists and persons filling their prescriptions have a
36 clear understanding of which drugs and which dosages or forms are
37 included in the authority granted by this section.

38 (b) An optometrist may not:

1 (i) Prescribe, dispense, or administer a controlled substance for
2 more than seven days in treating a particular patient for a single
3 trauma, episode, or condition or for pain associated with or related to
4 the trauma, episode, or condition; or

5 (ii) Prescribe an oral drug within ninety days following ophthalmic
6 surgery unless the optometrist consults with the treating
7 ophthalmologist.

8 (c) If treatment exceeding the limitation in (b)(i) of this
9 subsection is indicated, the patient must be referred to a physician
10 licensed under chapter 18.71 RCW.

11 (d) The prescription or administration of drugs as authorized in
12 this section is specifically limited to those drugs appropriate to
13 treatment of diseases or conditions of the human eye and the adnexa
14 that are within the scope of practice of optometry. The prescription
15 or administration of drugs for any other purpose is not authorized by
16 this section.

17 (5) The board shall develop a means of identification and
18 verification of optometrists certified to use therapeutic drugs for the
19 purpose of issuing prescriptions as authorized by this section.

20 (6) Nothing in this chapter may be construed to authorize the use,
21 prescription, dispensing, purchase, possession, or administration of
22 any Schedule I or II controlled substance. The provisions of this
23 subsection must be strictly construed.

24 (7) With the exception of the administration of epinephrine by
25 injection for the treatment of anaphylactic shock, no injections or
26 infusions may be administered by an optometrist.

27 (8) Nothing in this chapter may be construed to authorize
28 optometrists to perform ophthalmic surgery. Ophthalmic surgery is
29 defined as any invasive procedure in which human tissue is cut,
30 ablated, or otherwise penetrated by incision, injection, laser,
31 ultrasound, or other means, in order to: Treat human eye diseases;
32 alter or correct refractive error; or alter or enhance cosmetic
33 appearance. Nothing in this chapter limits an optometrist's ability to
34 use diagnostic instruments utilizing laser or ultrasound technology.
35 Ophthalmic surgery, as defined in this subsection, does not include
36 removal of superficial ocular foreign bodies, epilation of misaligned
37 eyelashes, placement of punctal or lacrimal plugs, diagnostic dilation
38 and irrigation of the lacrimal system, orthokeratology, prescription

1 and fitting of contact lenses with the purpose of altering refractive
2 error, or other similar procedures within the scope of practice of
3 optometry.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 July 1, 2005.

--- END ---