

FIRST REGULAR SESSION

# SENATE BILL NO. 219

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLACK.

1393S.01I

KRISTINA MARTIN, Secretary

## AN ACT

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

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Section A. Section 336.010, RSMo, is repealed and one new  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

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

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

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

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

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

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

(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;**

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

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

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

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

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

**2. The board shall continue to review surgical procedures not listed in this subsection but which shall be excluded from the scope of the practice of optometry. The following procedures are not within the scope of optometry and an optometrist [may] shall not perform [surgery, including the use of lasers for treatment of any disease or condition or for the correction of refractive error] such procedures, except for the preoperative and postoperative care of these procedures:**

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

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

51           (3) Nonlaser surgery requiring full thickness incision  
52 or excision of the cornea or sclera other than paracentesis  
53 in an emergency situation requiring immediate reduction of  
54 the pressure inside the eye;

55           (4) Penetrating keratoplasty (corneal transplant) or  
56 lamellar keratoplasty;

57           (5) Nonlaser surgery requiring incision of the iris  
58 and ciliary body, including iris diathermy or cryotherapy;

59           (6) Nonlaser surgery requiring incision of the  
60 vitreous;

61           (7) Nonlaser surgery requiring incision of the retina;

62           (8) Nonlaser surgical extraction of the crystalline  
63 lens;

64           (9) Nonlaser surgical intraocular implants;

65           (10) Incisional or excisional nonlaser surgery of the  
66 extraocular muscles;

67           (11) Nonlaser surgery of the eyelid for eyelid  
68 malignancies or for incisional cosmetic or mechanical repair  
69 of blepharochalasis, ptosis, and tarsorrhaphy;

70           (12) Nonlaser surgery of the bony orbit, including  
71 orbital implants;

72           (13) Incisional or excisional nonlaser surgery of the  
73 lacrimal system other than lacrimal probing or related  
74 procedures;

75           (14) Nonlaser surgery requiring full thickness  
76 conjunctivoplasty with graft or flap;

77           (15) Any nonlaser surgical procedure that does not  
78 provide for the correction and relief of ocular  
79 abnormalities;

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

(17) The administration of general anesthesia.

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

(1) "Eye", the human eye;

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

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

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

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

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

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

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

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