

Enrolled Senate Bill 656

Sponsored by Senator CARTER; Senators AVAKIAN, BURDICK, DEVLIN, FERRIOLI, G GEORGE, GORDLY, WINTERS, Representative MACPHERSON (at the request of Oregon Academy of Ophthalmology)

CHAPTER

AN ACT

Relating to practice of optometry; creating new provisions; and amending ORS 683.270.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 683.010 to 683.310.

SECTION 2. (1) Optometrists utilizing pharmaceutical agents shall be held to the same standards of liability as persons licensed as physicians to practice medicine and surgery by the Board of Medical Examiners for the State of Oregon under ORS chapter 677.

(2) Notwithstanding ORS 683.010 (3), an optometrist may remove superficial foreign bodies from the eye and its appendages.

(3)(a) An optometrist treating a patient with antiglaucoma medication shall consult with an ophthalmologist if:

- (A) The glaucoma progresses despite the use of two glaucoma medications;
- (B) More than two medications are required to control the glaucoma; or
- (C) A secondary glaucoma develops.

(b) Glaucoma shall be considered to be progressing if, in comparison to prior examinations, there is a reproducible worsening of the patient's visual field as measured by standard threshold testing or if there is a worsening of the patient's optic nerve as measured by direct observation or standard imaging technology or by rising eye pressure despite the use of medication. Glaucoma shall be considered to be under control if target eye pressure, individualized for each patient, is maintained with no abnormal glaucomatous progression.

(c) For purposes of this subsection, a combination medication that contains two pharmacologic agents shall be considered one medication.

SECTION 3. ORS 683.270 is amended to read:

683.270. [(1)] The powers and duties of the Oregon Board of Optometry are as follows:

[(a)] (1) To organize and elect from its membership a president and vice president of the board, each of whom shall hold office for one year, or until the election and qualification of a successor.

[(b)] (2) To adopt and use a common seal.

[(c)] (3) To employ agents and inspectors to secure evidence of and report on all violations of this chapter and to employ other necessary assistance in the carrying out of the provisions of this chapter, and to pay the same from the funds provided in ORS 683.010 to 683.335.

[(d)] (4) To hold regular meetings at least once a year at which an examination of applicants for licenses shall be held at such places as the board shall from time to time designate, and special meetings upon request of a majority of the members of the board or upon the call of the president.

[(e)] (5) To keep an accurate record of all proceedings of the board and of all of its meetings, of all prosecutions for violations of ORS 683.010 to 683.335, and of all examinations held for applicants for licenses, with the names and addresses of all persons taking examinations and their success or failure to pass such examinations. All the records of the board shall be public and shall be kept in the office of the board.

[(f)] (6) To keep an accurate inventory of all property of the board and of the state in the possession of the board and to obtain a receipt therefor from its successor.

[(g)] (7) To keep a register of optometrists which shall contain the names and addresses of all persons to whom licenses have been issued in the State of Oregon, together with the date of the issuance of the license and the place or places of business in which each optometrist is engaged, and all renewals, revocations and suspensions thereof.

[(h)] (8) To grant or refuse to grant licenses as provided in ORS 683.010 to 683.335 and to impose any of the sanctions for any of the causes specified in ORS 683.140.

[(i)] (9) To administer oaths and take testimony upon granting and revoking or suspending any certificate of registration or any other certificate established by the board for the protection of the public.

[(j)] (10) To designate pharmaceutical agents for topical use in the practice of optometry with the advice and guidance of the Board of Medical Examiners for the State of Oregon.

[(k)] (11) To adopt rules not inconsistent with the laws of this state as are necessary or proper to carry out the lawful powers and duties of the board, as may be necessary or proper to establish license fees and license terms or duration, to determine the qualifications of applicants for a license and of licensees to practice optometry in this state, and to establish educational and professional standards for such applicants, subject to the laws of this state. If an applicant fails to pass a second examination the board may adopt rules which may provide the required courses of study before further examination.

[(2) Optometrists utilizing pharmaceutical agents shall be held to the same standards of liability as persons licensed as physicians to practice medicine and surgery by the Board of Medical Examiners for the State of Oregon under ORS chapter 677.]

[(3) Prior to instituting treatment with antiglaucoma medication, optometrists shall consult with an ophthalmologist or other doctor of medicine or doctor of osteopathy licensed under ORS chapter 677.]

[(4) Notwithstanding ORS 683.010 (3), an optometrist may remove superficial foreign bodies from the eye and its appendages.]

Passed by Senate April 19, 2007

Repassed by Senate June 19, 2007

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Secretary of Senate

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President of Senate

Passed by House June 13, 2007

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Speaker of House

Received by Governor:

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Approved:

.....M,....., 2007

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Governor

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Secretary of State