On page 1 of the printed bill, delete lines 12 through 30 and insert:

“(b) ‘Optometric clinical health care services’ includes, but is not limited to, assessment, consultation, diagnosis, patient education and care management by a licensed optometrist.

“(c) ‘Store and forward’ means the transmission of patient information between a licensed optometrist and a patient, whether or not in real time.

“(d)(A) ‘Telehealth’ means the use of electronic and telecommunications technologies, including remote patient monitoring devices and store and forward technology, to support delivery of optometric clinical health care services.

“(B) ‘Telehealth’ does not include electronic mail communication, facsimile transmission or audio-only telephone communication between a licensed optometrist and a patient, or the use of an automated computer program or managed website to diagnose or treat ocular or refractive conditions.

“(e) ‘Telemedicine’ means the delivery of optometric clinical health care services to a patient by a licensed optometrist through telehealth.

“(2) A licensed optometrist may engage in the practice of telemedicine if:

“(a) The licensed optometrist provides notice to the patient that the licensed optometrist intends to practice telemedicine prior to engaging in the practice of telemedicine with the patient;

“(b) The patient is physically located in this state during the practice of telemedicine;

“(c) The technology used in the practice of telemedicine complies with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the Health Insurance Portability and Availability Act privacy regulations, 45 C.F.R. parts 160 and 164; and

“(d) The licensed optometrist will provide the patient with an initial prescription for corrective glasses or contact lenses, and the licensed optometrist has an established patient-provider relationship with the patient that includes an in-person eye examination prior to engaging in the practice of telemedicine with the patient.

“(3) If the licensed optometrist is employed by or contracts with an entity that operates exclusively through an online platform to provide corrective glasses and contact lenses, the licensed optometrist may engage in the practice of telemedicine with a patient if:

“(a) The practice of telemedicine described in this subsection is not for an initial prescription for corrective glasses or contact lenses; and

“(b) The patient is at least 18 years of age.

“(4) The Oregon Board of Optometry may adopt rules related to the practice of telemedicine by licensed optometrists.

“SECTION 3. ORS 683.010 is amended to read:

“683.010. As used in ORS 683.010 to 683.310, unless the context requires otherwise:
“(1) ‘Board’ means the Oregon Board of Optometry.

“(1) ‘Licensed optometrist’ means an optometrist licensed under ORS 683.010 to 683.340.

“(2) ‘Optometric nontopical formulary’ means the list of nontopical pharmaceutical agents for
the treatment of diseases of the human eye and the protocols for their usage adopted by the Council
on Optometric Nontopical Formulary under ORS 683.240 (2).

“(3) ‘Practice of optometry’ means the use of any means other than invasive or laser surgery,
or the prescription of Schedule I and II drugs or pharmaceutical agents that are not on the
optometric nontopical formulary, for diagnosis and treatment in the human eye, for the measurement
or assistance of the powers or range of human vision or the determination of the accommodative
and refractive states of the human eye or the scope of its functions in general or the adaptation of
lenses or frames for the aid thereof, subject to the limitations of ORS 683.040. ‘Practice of
optometry’ includes the prescription of Schedule II hydrocodone-combination drugs for the purposes
listed in this subsection and the use of telemedicine as defined in section 2 of this 2019 Act.

“(4) ‘Trial frames’ or ‘test lenses’ means any frame or lens that is used in testing the eye
[which] and that is not sold and not for sale.”.

On page 2, delete lines 1 through 17.