

By: Christian

H.B. No. 3000

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the administration by certain health care professionals  
3 of treatments ordered by an optometrist or therapeutic optometrist.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 301.002(2), Occupations Code, is amended  
6 to read as follows:

7 (2) "Professional nursing" means the performance of an  
8 act that requires substantial specialized judgment and skill, the  
9 proper performance of which is based on knowledge and application  
10 of the principles of biological, physical, and social science as  
11 acquired by a completed course in an approved school of  
12 professional nursing. The term does not include acts of medical  
13 diagnosis or the prescription of therapeutic or corrective  
14 measures. Professional nursing involves:

15 (A) the observation, assessment, intervention,  
16 evaluation, rehabilitation, care and counsel, or health teachings  
17 of a person who is ill, injured, infirm, or experiencing a change in  
18 normal health processes;

19 (B) the maintenance of health or prevention of  
20 illness;

21 (C) the administration of a medication or  
22 treatment as ordered by a physician, podiatrist, ~~[or]~~ dentist, or  
23 therapeutic optometrist;

24 (D) the supervision or teaching of nursing;

1 (E) the administration, supervision, and  
2 evaluation of nursing practices, policies, and procedures;

3 (F) the requesting, receiving, signing for, and  
4 distribution of prescription drug samples to patients at sites in  
5 which a registered nurse is authorized to sign prescription drug  
6 orders as provided by Subchapter B, Chapter 157;

7 (G) the performance of an act delegated by a  
8 physician under Section 157.052, 157.053, 157.054, 157.0541,  
9 157.0542, 157.058, or 157.059; and

10 (H) the development of the nursing care plan.

11 SECTION 2. Section 454.213(b), Occupations Code, is amended  
12 to read as follows:

13 (b) Implementation of direct occupational therapy to a  
14 person for a specific health care condition must be based on a  
15 referral from:

16 (1) a physician licensed by a state board of medical  
17 examiners;

18 (2) a dentist licensed by a state board of dental  
19 examiners;

20 (3) a chiropractor licensed by a state board of  
21 chiropractic examiners;

22 (4) a podiatrist licensed by a state board of  
23 podiatric medical examiners; ~~or~~

24 (5) an optometrist or therapeutic optometrist  
25 licensed by a state optometry board; or

26 (6) another qualified, licensed health care  
27 professional who is authorized to refer for health care services

1 within the scope of the professional's license.

2 SECTION 3. This Act takes effect September 1, 2007.