

BILL ANALYSIS

Senate Research Center
81R13563 BEF-D

H.B. 1740
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Health & Human Services
5/11/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The United States Food and Drug Administration (FDA) classifies a contact lens as a medical device. Recent technological advances have made it possible to combine pharmaceutical agents with medical devices, such as contact lenses, to create a new product called a "therapeutic contact lens." These lenses are described as a corrective contact lens drug delivery device because they deliver pharmaceutical agents directly into the eye to treat eye disorders.

H.B. 1740 relates to the authority of physicians and therapeutic optometrists to dispense therapeutic contact lenses.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 551.003, Occupations Code, by adding Subdivision (42-a), to define "therapeutic contact lens."

SECTION 2. Amends Section 551.004, Occupations Code, by adding Subsection (e), as follows:

(e) Provides that this subtitle does not prevent a physician or therapeutic optometrist from dispensing and charging for therapeutic contact lenses. Provides that this subsection does not authorize a therapeutic optometrist to prescribe, administer, or dispense a drug that is otherwise outside the therapeutic optometrist's scope of practice.

SECTION 3. Effective date: upon passage or September 1, 2009.