

By: Howard of Travis

H.B. No. 1740

Substitute the following for H.B. No. 1740:

By: King of Taylor

C.S.H.B. No. 1740

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authorization of physicians and therapeutic
3 optometrists to dispense therapeutic contact lenses.

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

5 SECTION 1. Section 551.003, Occupations Code, is amended by
6 adding Subdivision (42-a) to read as follows:

7 (42-a) "Therapeutic contact lens" means a contact lens
8 that contains one or more drugs and that delivers the drugs into the
9 wearer's eye.

10 SECTION 2. Section 551.004, Occupations Code, is amended by
11 adding Subsection (e) to read as follows:

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

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.