

1-1 By: Howard of Travis, et al. (Senate Sponsor - Uresti) H.B. No. 1740
1-2 (In the Senate - Received from the House April 22, 2009;
1-3 May 1, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 13, 2009, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authorization of physicians and therapeutic
1-9 optometrists to dispense therapeutic contact lenses.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 551.003, Occupations Code, is amended by
1-12 adding Subdivision (42-a) to read as follows:

1-13 (42-a) "Therapeutic contact lens" means a contact lens
1-14 that contains one or more drugs and that delivers the drugs into the
1-15 wearer's eye.

1-16 SECTION 2. Section 551.004, Occupations Code, is amended by
1-17 adding Subsection (e) to read as follows:

1-18 (e) This subtitle does not prevent a physician or
1-19 therapeutic optometrist from dispensing and charging for
1-20 therapeutic contact lenses. This subsection does not authorize a
1-21 therapeutic optometrist to prescribe, administer, or dispense a
1-22 drug that is otherwise outside the therapeutic optometrist's scope
1-23 of practice.

1-24 SECTION 3. This Act takes effect immediately if it receives
1-25 a vote of two-thirds of all the members elected to each house, as
1-26 provided by Section 39, Article III, Texas Constitution. If this
1-27 Act does not receive the vote necessary for immediate effect, this
1-28 Act takes effect September 1, 2009.

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