By: Goldman H.B. No. 1413

A BILL TO BE ENTITLED

AN ACT

relating to the practice of therapeutic optometry.

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

SECTION 1. Section 351.002(7), Occupations Code, is amended to read as follows:

(7) "Practice of therapeutic optometry" means using objective or subjective means, [not including surgery except as prohibited under Section 351.4521 or laser surgery], to:

(A) determine or measure the powers of vision of the human eye as provided by Section 351.355;

(B) examine or diagnose visual defects, abnormal conditions, or diseases of the human eye or adnexa;

(C) prescribe or fit lenses or prisms to correct or remedy a defect or abnormal condition of vision as provided by Section 351.356;

(D) administer or prescribe a drug or physical treatment in the manner authorized by this chapter; or

(E) treat the visual system, including the eye or adnexa as authorized by this chapter.

SECTION 2. Sections 351.358(b) and (c), Occupations Code, are amended to read as follows:

(b) A therapeutic optometrist may:

(1) administer, perform, or prescribe ophthalmic devices, procedures, and appropriate medications administered by
topical, subconjunctival, or oral means[, in accordance with this
section and Section 351.3581,] to diagnose or treat visual defects,
abnormal conditions, or diseases of the human vision system,
including the eye and adnexa; or
(2) administer medication by parenteral means for a
purpose and in a manner prescribed by Subsection (e).
(c) A therapeutic optometrist may administer or prescribe
oral analgesic medications only in the following classifications of
oral pharmaceuticals:
(1) one 10-day supply of oral antibiotics;
(2) one 72-hour supply of oral antihistamines;
(3) one seven-day supply of oral nonsteroidal
anti-inflammatories;
(4) one three-day supply of any analgesic
medication classified as a controlled substance under Schedule [identified in
Schedules] III, IV, or [and] V of 21 U.S.C. Section 812; and
(5) one three-day supply of hydrocodone or of a
hydrocodone combination medication classified as a controlled
substance under Schedule II of 21 U.S.C. Section 812
(5) any other oral pharmaceutical recommended by the
Optometric Health Care Advisory Committee and approved by the board
and the Texas State Board of Medical Examiners].

SECTION 3. The heading to Section 351.3581, Occupations
Code, is amended to read as follows:
Sec. 351.3581. [DIAGNOSIS AND] TREATMENT OF GLAUCOMA.

SECTION 4. Section 351.3581(a), Occupations Code, is
amended to read as follows:
A therapeutic optometrist may not administer or prescribe an oral or parenteral medication or treat glaucoma unless the therapeutic optometrist holds a certificate issued by the board. A therapeutic optometrist certified under this section shall be known as an optometric glaucoma specialist. To obtain a certificate, a therapeutic optometrist must:

(1) complete an instructional clinical review course; and

(2) pass an examination approved by the board.

SECTION 5. Section 351.4521, Occupations Code, is amended to read as follows:

Sec. 351.4521. PERFORMANCE OF CERTAIN SURGICAL PROCEDURES BY THERAPEUTIC OPTOMETRISTS [SURGERY] PROHIBITED. (a) A therapeutic optometrist may not perform the following surgical procedures:

(1) retinal laser procedures, laser-assisted in situ keratomileusis (LASIK), photorefractive keratectomy (PRK), or laser epithelial keratomileusis (LASEK);

(2) penetrating keratoplasty, corneal transplant, or lamellar keratoplasty;

(3) a surgical procedure that requires the administration of general anesthesia;

(4) intraocular injection;

(5) a surgical procedure relating to the removal of the eye from a living person;

(6) a surgical procedure requiring full-thickness
incision or excision of the cornea or sclera other than paracentesis in an emergency situation requiring immediate reduction of the pressure inside of the eye;

(7) a surgical procedure requiring incision or excision of the iris and ciliary body, including iris diathermy and cryotherapy;

(8) a surgical procedure requiring incision or excision of the vitreous;

(9) a surgical procedure requiring incision or excision of the retina;

(10) surgical extraction of the crystalline lens;

(11) surgical intraocular implants;

(12) incisional or excisional surgery of the extraocular muscles;

(13) surgery of the eyelid for a suspected eyelid malignancy;

(14) surgery of the eyelid, including the incisional, excisional, or mechanical repair of blepharochalasis, dermatochalasis, or ptosis;

(15) tarsorrhaphy;

(16) surgery of the bony orbit, including orbital implants;

(17) incisional or excisional surgery of the lacrimal system other than lacrimal probing and related procedures;

(18) a surgical procedure requiring full-thickness conjunctivoplasty with graft or flap;

(19) retrobulbar injection or injection into the
extraocular orbital space; and

(20) pterygium surgery or laser surgery.

(b) This section does not prevent a therapeutic optometrist from providing preoperative or postoperative care relating to a surgical procedure listed in Subsection (a).

SECTION 6. The following provisions of the Occupations Code are repealed:

(1) Section 351.358(d); and

(2) Sections 351.3581(b), (c), (d), (e), (f), (g), (h), (i), and (j).

SECTION 7. This Act takes effect September 1, 2015.