

## LEGISLATIVE BILL 116

Approved by the Governor April 29, 1987

Introduced by Morehead, 30; Schmit, 23; Rogers, 41;  
Rupp, 22; Smith, 33; Remmers, 1;  
R. Johnson, 34; Hartnett, 45; Conway, 17;  
Coordsen, 32

AN ACT relating to optometry; to amend sections 71-1,133 and 71-1,135.02, Reissue Revised Statutes of Nebraska, 1943; to change licensing requirements related to pharmaceutical agents; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-1,133, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,133. For the purpose purposes of the Uniform Licensing Law, the practice of optometry is defined as being one or a combination of the following, without the use of surgery:

(1) The examination of the human eye to diagnose, treat, or refer for consultation or treatment any abnormal condition of the human eye or lid;

(2) The employment of instruments, devices, topical ocular pharmaceutical agents, excluding anti-glaucoma agents, and procedures intended for the purpose of investigating, examining, diagnosing, or correcting visual defects or abnormal conditions of the human eye or lid; or

(3) The prescribing and application of lenses, devices containing lenses, prisms, contact lenses, ~~ophthalmic~~ ophthalmic devices excluding laser surgery, orthoptics, vision training, topical ocular pharmaceutical agents which treat eye infection, inflammation, and superficial abrasions, and prosthetic devices to correct, relieve, or treat defects or abnormal conditions of the human eye or lid.

in order to be granted a license to practice optometry in Nebraska; optometrists graduating after 1985 and applying for a license in Nebraska and all optometrists applying for a license under reciprocity shall be certified by the department to use pharmaceutical agents for diagnostic purposes and for therapeutic purposes.

Sec. 2. That section 71-1,135.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,135.02. (1) No optometrist licensed in this state, on or after July 17, 1986, except an optometrist who has been certified by the department prior to the effective date of this act or by another state with substantially equivalent requirements for certification as determined by the department upon recommendation of the Board of Examiners in Optometry to use topical ocular pharmaceutical agents for diagnostic purposes prior to the effective date of this act, shall use topical ocular pharmaceutical agents for diagnostic purposes authorized under subdivision (2) of section 71-1,133 unless such person (a) submits to the Board of Examiners in Optometry evidence of satisfactory completion of all educational requirements as adopted by the department upon the recommendation of the Board of Examiners in Optometry a pharmacology course at an institution accredited by a regional or professional accrediting organization which is recognized by the Council on Postsecondary Accreditation of the United States Department of Education and approved by the Department of Health, (b) passes an examination approved by the department, and (c) has been certified by the department upon the recommendation of the Board of Examiners in Optometry as qualified to use topical ocular pharmaceutical agents for diagnostic purposes. The department may approve for certification pursuant to subdivision (1)(a) of this section a pharmacology course if such course includes:

(i) A study of ocular anesthetics, mydriatics, cycloplegics, ocular toxicity of pharmaceutical agents, ocular allergies of ocular agents, and pharmacologic effects of ocular drug substances;

(ii) The consideration of the mechanism of action of anesthetics, cycloplegics, and mydriatics in human beings and the uses of such substances in the diagnosis of occurring ocular disorders;

(iii) At least one hundred hours of classroom education, clinical training, and examination; and

(iv) The correlation of the utilization of pharmaceutical agents and optical instrumentation and procedures.

The department may approve for certification pursuant to subdivision (1)(b) of this section an examination if such examination is:

(A) Based upon the competencies taught in a pharmacology course; and

(B) Administered by an institution accredited by a regional or professional accrediting organization which is recognized by the Council on Postsecondary Accreditation of the United States Department of Education and approved by the Department of Health.

(2) No optometrist licensed in this state on or after July 17, 1986 the effective date of this act, shall use topical ocular pharmaceutical agents for therapeutic purposes authorized under subdivision (3) of section 71-1,133 unless such person (a) submits to the Board of Examiners in Optometry evidence of satisfactory completion of a minimum of one hundred hours since January 1, 1984, of which forty hours shall be classroom education and sixty hours shall be supervised clinical training as it applies to optometry with particular emphasis on the examination, diagnosis, and treatment of the eye and adnexa all educational requirements as adopted by the department upon the recommendation of the Board of Examiners in Optometry which are offered by a school or college approved by the department, (b) passes an examination approved by the department, (c) and has been certified by the department upon the recommendation of the Board of Examiners in Optometry to use topical ocular pharmaceutical agents for therapeutic purposes, and (d) has been certified by the department upon the recommendation of the Board of Examiners in Optometry to use topical ocular pharmaceutical agents for diagnostic purposes. The department may approve for certification pursuant to subdivision (2)(a) of this subsection a therapeutic course or courses of instruction, from an institution accredited by a regional or professional accrediting organization which is recognized by the Council on Postsecondary Accreditation of the United States Department of Education, that have been completed after January 1, 1984. Such course or courses shall include, but not be limited to:

- (i) Review of general pharmacology and therapeutics;
- (ii) Review of ocular therapeutic pharmacology;
- (iii) Diagnosis and treatment of diseases of the lid, lacrimal system, conjunctiva, sclera, and episclera;
- (iv) Diagnosis of corneal disease and trauma including corneal foreign bodies;
- (v) Diagnosis and treatment of anterior segment eye diseases;
- (vi) Clinical procedures related to the diagnosis and treatment of the eye and adnexa;

(vii) Ocular manifestations of systemic disease;

(viii) Review of systemic disease syndromes;

(ix) Ocular therapy including management of acute systemic emergencies; and

(x) Consultation criteria in ocular disease and trauma.

Sec. 3. That original sections 71-1,133 and 71-1,135.02, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.