

January 29, 1979

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SPEAKER MARVEL: Senator Dworak, we've got about a minute left.

SENATOR DWORAK: Thank you, Senator Marvel. I listened again very intently, Senator Clark, and I still don't understand why miotics are used...as I understand...let me ask you another question, so this is on the record. Is miotics used for diagnosis, or is it used for treatment? And if it's diagnosis, why the element of emergency? I would like that addressed specifically.

SENATOR CLARK: Miotics are not used in diagnosis. You're talking about pilocarpine, which is not used in diagnosis, it's used for emergency use only in case that they produce with a mydriatic a narrow angular glaucoma, and it happens in about six one-hundredths of one percent of the time, which is almost never. Most optometrists would never have to use it, but if it is, it is the only treatment they have at that time as an emergency treatment, and then anyone will be sent to an ophthalmologist, of course, after that, but they have to use it. But it is so rare that Dr. Smith said if they didn't use it, even if it wasn't in the bill, if they didn't use it, they would be liable for malpractice.

SPEAKER MARVEL: Senator Dworak, do you have any other comments?

SENATOR DWORAK: Well, Mr. President, and colleagues, I have an amendment here that I'm going to present, and I guess it would have to be an amendment to the committee amendment, because I can't amend the Clark amendment, but I think if we... if miotics is not used for diagnosis but for treatment, and the intent and the purview of this bill is diagnosis only, which is the way it was presented, I think miotics ought to be struck.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, first I want to make it clear that I support the concept of the bill, and that I believe that it is probably in the interest of good health care in the State of Nebraska that will give the optometrists additional tools of diagnosis, but I share with Senator Dworak the concern that he has expressed about the part of the amendment that he has referred to. But I would like to ask Senator Clark a question relative to the Section 4 of the bill where his amendment says that we shall certify that they have been...no optometrist presently licensed in this state shall use pharmaceutical agents in the practice of optometry unless such person submits to the Board of Examiners

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