

**Optometric Practice Act  
AOA Model Legislation**

*Note: This is model legislation and should be adapted by a legislative council to conform the proposal with your state law before being introduced to ensure it will be effective in your state.*

**Definitions**

- (1) **Optometry:** practice in which a person employs primary eye care procedures including the prescription of diagnostic and therapeutic pharmaceutical agents, medical devices and ophthalmic surgery, measures the powers and range of vision of the human eye using subjective and objective means, including the use of lenses and prisms before the eye and auto-refractors and other automated testing devices to determine its accommodative and refractive state and general scope of function; and the adaptation, sale, and dispensing of frames and lenses in all their forms, including plano or zero power contact lenses, to overcome errors of refraction and restore as near as possible normal human vision, or for orthotic, prosthetic, therapeutic, or cosmetic purposes with respect to contact lenses. Optometry also includes the examination, diagnosis, and treatment of abnormal conditions and diseases of the human eye, its adnexa, and visual system, including the use or prescription of vision therapy, ocular exercises, rehabilitation therapy, subnormal vision therapy, ordering of appropriate diagnostic lab or imaging tests, and the dispensing of samples to initiate treatment.
  
- (2) (a) **Diagnostic and therapeutic pharmaceutical agent:** any prescription or nonprescription drug delivered by any route of administration, used or prescribed for the diagnosis, treatment, prevention, or mitigation of abnormal conditions and diseases of the human eye and its adnexa, and visual system or those which may be used for such purposes, and approved narcotics when used in the treatment of disorders or diseases of the eye and its adnexa.  
  
(b) **Diagnostic and therapeutic pharmaceutical agent:** shall not include any drug or other substance listed in Schedule I of the federal Uniformed Controlled Substances law which shall be prohibited from use by a licensed Doctor of Optometry.
  
- (3) **Ophthalmic surgery:** a procedure upon the human eye and adnexa in which in vivo tissue is injected, cut, burned, frozen, sutured, vaporized, coagulated, or photodisrupted by the use of surgical instrumentation such as, but not limited to, a scalpel, cryoprobe, laser, electric cautery, or ionizing radiation. Nothing in this chapter shall limit the ability of a Doctor of Optometry to perform ophthalmic surgery procedures other than those listed in Section 5 of this chapter.

**Practice of Optometry**

- (1) Licensed pharmacists of this state shall fill prescriptions for such pharmaceutical agents of licensed Doctors of Optometry certified by the board (**insert appropriate board name**) to use such pharmaceutical agents. Licensed Doctors of Optometry certified by the board (**insert**



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(appropriate board name) may direct or delegate to other healthcare personnel to execute diagnostic and therapeutic orders and administer pharmaceutical agents.

- (2) The following ophthalmic surgery procedures are excluded from the practice of optometry, except for the preoperative and postoperative care of these procedures:
  - (A) The following procedures:
    - (a) Retina laser procedures.
    - (b) Penetrating keratoplasty or corneal transplant.
    - (c) The administration of general anesthesia
    - (d) Surgery done with general anesthesia
    - (e) Laser or non-laser procedure into the vitreous chamber of the eye to treat any retinal or macular disease.
  - (B) The following non-laser surgical procedures:
    - (a) Surgery related to removal of the eye from a living human being.
    - (b) Surgery 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 the eye.
    - (c) Surgery requiring incision of the iris and ciliary body, including diathermy or cryotherapy
    - (d) Surgery requiring incision of the vitreous.
    - (e) Surgery requiring incision of the retina.
    - (f) Surgical extraction of the crystalline lens.
    - (g) Surgical intraocular implants.
    - (h) Incisional or excisional surgery of the extraocular muscles.
    - (i) Surgery of the eyelid for suspect malignancies or for incisional cosmetic or mechanical repair of blepharochalasis, ptosis, and tarsorrhaphy.
    - (j) Surgery of the bony orbit, including orbital implants.
    - (k) Incisional or excisional surgery of the lacrimal system other than probing or related procedures.
    - (l) Surgery requiring full thickness conjunctivoplasty with graft or flap.
    - (m) Pterygium surgery.
- (6) In a public health emergency, the state health officer may authorize therapeutically licensed Doctors of Optometry to administer inoculations for systemic health reasons.

## Board Regulation

- (1) Nothing in this chapter shall be construed as allowing any agency, board, or other entity of this state other than the (insert appropriate board name) to determine what constitutes the practice of optometry.
- (2) The board shall have the sole authority to determine what constitutes the practice of optometry and sole jurisdiction to exercise any other powers and duties under this chapter. The board may issue advisory opinions and declaratory rulings related to this chapter and the administrative regulations promulgated under this chapter.

**Credentialing Requirements**

- (1) (Insert appropriate board name) shall establish the credentialing requirements which shall be fulfilled before a person may be certified to use or prescribe pharmaceutical agents or perform minor surgical and other advanced procedures for the practice of optometry.