

SENATE BILL NO. 956

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ESLINGER.

3503S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 336.010, RSMo, and to enact in lieu thereof one new section relating to the practice of optometry.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 336.010, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 336.010,
3 to read as follows:

336.010. 1. The "practice of optometry" is the
2 examination, diagnosis, [treatment, and preventative care]
3 **prevention, and treatment, surgical or nonsurgical**, of the
4 eye, adnexa, and vision. The practice includes, but is not
5 limited to:

6 (1) The examination of the eye, adnexa, and vision to
7 determine the accommodative and refractive states, visual
8 perception, conditions, and diseases;

9 (2) The diagnosis and treatment of conditions or
10 diseases of the eye, adnexa, and vision;

11 (3) The performance of diagnostic procedures and
12 ordering of laboratory and imaging tests for the diagnosis
13 of vision and conditions and diseases of the eye and adnexa;

14 (4) The prescription and administration of
15 pharmaceutical agents[, excluding injectable agents,] for
16 the purpose of examination, diagnosis, and treatment of
17 vision and conditions or diseases of the eye and adnexa;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 (5) The removal of superficial foreign bodies from the
19 eye or adnexa;

20 (6) **Notwithstanding the provisions of any other law to**
21 **the contrary, including section 334.010, the correction and**
22 **relief of ocular abnormalities by surgical procedures not**
23 **excluded under subsection 2 of this section;**

24 (7) The employment of objective or subjective
25 mechanical means to determine the accommodative or
26 refractive states of the human eye;

27 [(7)] (8) The prescription or adaptation of lenses,
28 prisms, devices, or ocular exercises to correct defects or
29 abnormal conditions of the human eye or vision or to adjust
30 the human eye to special conditions;

31 [(8)] (9) The prescription and fitting of ophthalmic
32 or contact lenses and devices;

33 [(9)] (10) The prescription and administration of
34 vision therapy; and

35 [(10)] (11) The prescription and administration of low
36 vision care.

37 2. An optometrist [may] **shall** not perform [surgery,
38 including the use of lasers for treatment of any disease or
39 condition or for the correction of refractive error] **the**
40 **following procedures, except for the preoperative and**
41 **postoperative care of these procedures:**

42 (1) Retina laser procedures, laser-assisted in situ
43 keratomileusis (LASIK), and photorefractive keratectomy
44 (PRK);

45 (2) Nonlaser surgery related to removal of the eye
46 from a living human being;

47 (3) Nonlaser surgery requiring full thickness incision
48 or excision of the cornea or sclera other than paracentesis

49 in an emergency situation requiring immediate reduction of
50 the pressure inside the eye;

51 (4) Penetrating keratoplasty (corneal transplant) or
52 lamellar keratoplasty;

53 (5) Nonlaser surgery requiring incision of the iris
54 and ciliary body, including iris diathermy or cryotherapy;

55 (6) Nonlaser surgery requiring incision of the
56 vitreous;

57 (7) Nonlaser surgery requiring incision of the retina;

58 (8) Nonlaser surgical extraction of the crystalline
59 lens;

60 (9) Nonlaser surgical intraocular implants;

61 (10) Incisional or excisional nonlaser surgery of the
62 extraocular muscles;

63 (11) Nonlaser surgery of the eyelid for eyelid
64 malignancies or for incisional cosmetic or mechanical repair
65 of blepharochalasis, ptosis, and tarsorrhaphy;

66 (12) Nonlaser surgery of the bony orbit, including
67 orbital implants;

68 (13) Incisional or excisional nonlaser surgery of the
69 lacrimal system other than lacrimal probing or related
70 procedures;

71 (14) Nonlaser surgery requiring full thickness
72 conjunctivoplasty with graft or flap;

73 (15) Any nonlaser surgical procedure that does not
74 provide for the correction and relief of ocular
75 abnormalities;

76 (16) Laser or nonlaser injection into the posterior
77 chamber of the eye to treat any macular or retinal disease;
78 and

79 (17) The administration of general anesthesia.

80 3. As used in this chapter, except as the context may
81 otherwise require, the following terms mean:

82 (1) "Eye", the human eye;

83 (2) "Adnexa", all structures adjacent to the eye and
84 the conjunctiva, lids, lashes, and lacrimal system;

85 (3) "Board", the Missouri state board of optometry;

86 (4) "Diagnostic pharmaceutical agents", topically
87 applied pharmaceuticals used for the purpose of conducting
88 an examination of the eye, adnexa, and vision;

89 (5) "Low vision care", the examination, treatment, and
90 management of patients with visual impairments not treatable
91 by conventional eyewear or contact lenses and may include a
92 vision rehabilitation program to enhance remaining vision
93 skills;

94 (6) "Pharmaceutical agents", any diagnostic and
95 therapeutic drug or combination of drugs that assist the
96 diagnosis, prevention, treatment, or mitigation of abnormal
97 conditions or symptoms of the human eye, adnexa, and vision;

98 (7) "Therapeutic pharmaceutical agents", those
99 pharmaceuticals[, excluding injectable agents,] used for the
100 treatment of conditions or diseases of the eye, adnexa, and
101 vision;

102 (8) "Vision therapy", a treatment regiment to improve
103 a patient's diagnosed visual dysfunctions, prevent the
104 development of visual problems, or enhance visual
105 performance to meet the defined needs of the patient.

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