

IN THE SENATE

SENATE BILL NO. 1052

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO OPTOMETRISTS; AMENDING SECTION 54-1501, IDAHO CODE, TO REVISE A
PROVISION REGARDING THE PRACTICE OF OPTOMETRY; AND DECLARING AN EMER-
GENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-1501, Idaho Code, be, and the same is hereby
amended to read as follows:

54-1501. PRACTICE OF OPTOMETRY DEFINED. Optometry is defined as the
science which relates to the examination, diagnosis and treatment of condi-
tions of or relating to the eyes and/or eyelids, the analysis of their func-
tion and the employment of preventive or corrective measures to ensure maxi-
mum vision and comfort. The practice of optometry is declared to be a learned
profession. The practice of optometry affects the public health, welfare
and safety and the public interest requires regulation and control of the
practice of optometry and limitation of the practice to qualified persons.
The "practice of optometry" means:

(1) To engage in the profession of examining, testing, measuring,
treating, correcting, developing or improving the human visual apparatus;

(2) To display any sign, circular, advertisement or device offering to
examine eyes, test eyes, fit glasses, adjust frames or prescribe lenses, or
by any means or method set oneself forth as an optometrist, doctor of optome-
try, optometric physician, optical doctor, doctor of optical science, O.D.,
Opt. D., optician, optical specialist, eye specialist, or refractionist, or
any other designation of like import;

(3) To employ in the examination, diagnosis or treatment of another,
any means, including the use of diagnostic pharmaceutical agents and phar-
maceutical agents for therapeutic use, for the measurement, improvement or
development of any or all functions of human vision or the assistance of the
powers of range of human vision or the determination of the accommodative
or refractive status of human vision or the scope of its functions in gen-
eral. The state board of optometry may, pursuant to rules adopted by it,
issue a certificate to optometrists licensed in this state authorizing the
optometrist to prescribe, administer and dispense such therapeutic pharma-
ceutical agents for the treatment of conditions of the eye and/or eyelid, as
approved by the board of optometry and as identified in rules adopted by the
board of optometry. Such certificate shall only be issued to an optometrist
who:

(a) Has successfully passed the "treatment and management of ocular
disease" section of the optometrist examination approved by the inter-
national association of boards of examiners in optometry, inc. or an
equivalent examination as may be approved by the state board of optom-
etry;

1 (b) Is the holder of a certificate for the use of diagnostic pharmaceu-
2 tical agents issued by the state board of optometry; and

3 (c) Has completed such appropriate additional educational and clinical
4 experience requirements as shall be established by the state board of
5 optometry pursuant to section 54-1509, Idaho Code;

6 (4) (a) To remove superficial foreign bodies and to diagnose and treat
7 superficial conditions of the eye and eyelid.

8 (b) The practice of optometry shall not include the use of therapeutic
9 lasers; except for the following therapeutic laser procedures:

10 (i) Laser capsulotomy;

11 (ii) Peripheral iridotomy; and

12 (iii) Laser trabeculoplasty.

13 (c) Only a person licensed under this chapter who has graduated from a
14 college or university that was accredited by the association of schools
15 and colleges of optometry where the therapeutic laser procedures pro-
16 vided for in paragraph (b) of this subsection were taught and who has
17 passed the national board of examiners in optometry laser examination
18 may use therapeutic lasers;

19 (5) To sell or offer for sale, otherwise than on prescription, any lens
20 with spherical, prismatic or cylindrical power, including plano or cosmetic
21 contact lenses;

22 (6) To prescribe or adapt lenses, including contact lenses, exercises,
23 orthoptics, vision therapy or other physical means to correct defects or ad-
24 just human vision to the conditions of a special occupation; or

25 (7) To do or offer to do any of the foregoing with intent of receiving
26 therefor, either directly or indirectly, any fee, gift, remuneration or com-
27 pensation whatsoever.

28 SECTION 2. An emergency existing therefor, which emergency is hereby
29 declared to exist, this act shall be in full force and effect on and after
30 July 1, 2023.