

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Professions & Public
 2 Health Subcommittee

3 Representative Rizo offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 315-495 and insert:

7 (3) Controlled substances for acute pain shall not be
 8 administered or prescribed for more than 72 hours without
 9 consultation with a physician licensed under chapter 458 or
 10 chapter 459 who is skilled in diseases of the eye.

11 (3)+(4) A certified optometrist shall be issued a
 12 prescriber number by the board. Any prescription written by a
 13 certified optometrist for an ocular pharmaceutical agent
 14 pursuant to this section shall have the prescriber number
 15 printed thereon. A certified optometrist may not administer or
 16 prescribe any of the following:

Amendment No. 1

17 (a) A controlled substance listed in Schedule II, Schedule
18 III, Schedule IV, or Schedule V of s. 893.03, except for an oral
19 analgesic placed on the formulary pursuant to this section for
20 the relief of pain due to ocular conditions of the eye and its
21 appendages.

22 (b) A controlled substance for the treatment of chronic
23 nonmalignant pain as defined in s. 456.44(1)(f).

24 Section 5. Section 463.0056, Florida Statutes, is created
25 to read:

26 463.0056 Ophthalmic Procedures.-

27 (1)(a) An optometrist certified in ophthalmic procedures
28 may perform laser and non-laser ophthalmic procedures and
29 therapies as authorized by the board but may not perform an
30 ophthalmic procedure or therapy that requires drug-induced
31 alteration of consciousness or that burns, cuts, or incises the
32 globe of the eye. However, an optometrist certified in
33 ophthalmic procedures may use medication for minimal
34 tranquilization of the patient and local or topical anesthesia
35 if the chances of complications requiring hospitalization of the
36 patient as a result are remote.

37 (b) To be certified to perform ophthalmic procedures, a
38 certified optometrist must first provide proof to the department
39 of successful completion of a course and subsequent examination,
40 approved by the board, on laser and non-laser ophthalmic
41 procedures and therapy. The course and examination shall be

Amendment No. 1

42 developed and offered jointly by a statewide professional
43 association of physicians in this state accredited to provide
44 educational activities designated for the American Medical
45 Association Physician's Recognition Award Category 1 credit and
46 a statewide professional association of licensed practitioners
47 which provides board-approved continuing education on an annual
48 basis. The board shall review and approve the content of the
49 initial course and examination if the board determines that the
50 course and examination adequately and reliably satisfy the
51 criteria set forth in this section. The board shall thereafter
52 annually review and approve the examination if the board
53 determines that the content continues to adequately and reliably
54 satisfy the criteria set forth in this section. Successful
55 completion of the board-approved course and examination may be
56 used by a certified optometrist to satisfy the continuing
57 education requirements in s. 463.007(3) only for the biennial
58 period in which the board-approved course and examination are
59 taken. If a certified optometrist does not complete a board-
60 approved course and examination under this section, the
61 certified optometrist may not perform ophthalmic procedures
62 described in paragraph (a).

63 (2) The following ophthalmic procedures are excluded from
64 the scope of practice of optometry, except for the preoperative
65 and postoperative care of these procedures:

Amendment No. 1

66 (a) Any procedure that burns, cuts, or incises the globe
67 of the eye.

68 (b) Laser vision correction, penetrating keratoplasty, and
69 corneal or lamellar keratoplasty.

70 (c) Laser of the vitreous chamber or retina of the eye to
71 treat any vitreomacular or retinal disease.

72 (d) Surgery of the eyelid for suspected eyelid
73 malignancies or for incisional cosmetic or mechanical repair of
74 blepharochalasis, ptosis, or tarsorrhaphy.

75 (e) Surgery of the boney orbit, including, but not limited
76 to, orbital implants or removal of the human eye.

77 (f) Incisional or excisional surgery of the lacrimal
78 system other than lacrimal probing or related procedures.

79 (g) Surgery requiring full thickness incision or excision
80 of the cornea or sclera other than paracentesis in an emergency
81 situation requiring immediate reduction of elevated pressure
82 inside the eye.

83 (h) Surgery requiring incision or excision by scalpel of
84 the iris and ciliary body, including, but not limited to, iris
85 diathermy or cryotherapy.

86 (i) Surgery requiring incision or excision of the vitreous
87 or retina.

88 (j) Surgery requiring incision or excision of the
89 crystalline lens or an intraocular prosthetic implant.

Amendment No. 1

90 (k) Surgery involving incision or excision of the
91 extraocular muscles.

92 (l) Surgery requiring full thickness conjunctivoplasty
93 with graft or flap.

94 (m) Pterygium surgery.

95 (n) Any other procedure or therapy the board deems
96 appropriate.

97 Section 6. Subsection (3) of section 463.0057, Florida
98 Statutes, is amended to read:

99 463.0057 Optometric faculty certificate.—

100 (3) The holder of a faculty certificate may engage in the
101 practice of optometry as permitted by this section but may not
102 administer or prescribe topical ocular pharmaceutical agents
103 unless the certificateholder has satisfied the requirements of
104 s. 463.006(1)(e) and (f). ~~If a certificateholder wishes to~~
105 ~~administer or prescribe oral ocular pharmaceutical agents, the~~
106 ~~certificateholder must also satisfy the requirements of s.~~
107 ~~463.0055(1)(b).~~

108 Section 7. Section 463.006, Florida Statutes, is amended
109 to read:

110 463.006 Licensure and certification by examination.—

111 (1) Any person desiring to be a certified optometrist
112 ~~licensed practitioner~~ pursuant to this chapter must apply to the
113 department and must submit proof to the department that she or
114 he:

Amendment No. 1

115 (a) Has completed the application forms as required by the
116 board, remitted an application fee for certification not to
117 exceed \$250, remitted an examination fee for certification not
118 to exceed \$250, and remitted an examination fee for licensure
119 not to exceed \$325, all as set by the board.

120 (b) Is at least 18 years of age.

121 (c) Has graduated from an accredited school or college of
122 optometry approved by rule of the board.

123 (d) Is of good moral character.

124 (e) Has successfully completed at least 110 hours of
125 transcript-quality coursework and clinical training in general
126 and ocular pharmacology as determined by the board, at an
127 institution that:

128 1. Has facilities for both didactic and clinical
129 instructions in pharmacology; and

130 2. Is accredited by a regional or professional accrediting
131 organization that is recognized and approved by the Commission
132 on Recognition of Postsecondary Accreditation or the United
133 States Department of Education.

134 (f) Has completed at least 1 year of supervised experience
135 in differential diagnosis of eye disease or disorders as part of
136 the optometric training or in a clinical setting as part of the
137 optometric experience.

138 (2) The board shall approve a licensure examination
139 consisting of the appropriate subjects and including applicable

Amendment No. 1

140 state laws and rules and general and ocular pharmacology with
141 emphasis on the use and side effects of ocular pharmaceutical
142 agents. The board may by rule substitute a national examination
143 as part or all of the examination and, notwithstanding chapter
144 456, may by rule offer a practical examination in addition to a
145 written examination. The board shall determine the required
146 content, grading criteria, and passing score for the licensure
147 examination.

148 (3) Each applicant who submits proof satisfactory to the
149 board that he or she has met the requirements of subsection (1),
150 who successfully passes the licensure examination within 3 years
151 before the date of application or within 3 years after the
152 submission of an application, and who otherwise meets the
153 requirements of this chapter is entitled to be licensed as a
154 certified optometrist practitioner ~~and to be certified to~~
155 ~~administer and prescribe ocular pharmaceutical agents in the~~
156 ~~diagnosis and treatment of ocular conditions.~~

157 Section 8. Subsection (12) is added to section 463.0135,
158 Florida Statutes, to read:

159 463.0135 Standards of practice.—

160 (12) A licensed practitioner who is not a certified
161 optometrist is required to display at her or his place of
162 practice a sign that states, "I am a Licensed Practitioner, not
163 a Certified Optometrist, and I am not able to prescribe ocular
164 pharmaceutical agents or perform ophthalmic procedures."

Amendment No. 1

165 Section 9. Subsection (4) of section 463.014, Florida
166 Statutes, is amended to read:

167 463.014 Certain acts prohibited.—

168 (4) Surgery, except as otherwise provided in this chapter,
169 is of any kind is expressly prohibited. Certified optometrists
170 may remove superficial foreign bodies. For the purposes of this
171 subsection, the term "superficial foreign bodies" means any
172 foreign matter that is embedded in the conjunctiva or cornea but
173 that has not penetrated the globe. Notwithstanding the
174 definition of surgery as provided in s. 463.002(6), a certified
175 optometrist may provide ~~is not prohibited from providing any~~
176 optometric care within the practice of optometry as defined in
177 s. 463.002(7), including, but not limited to, ~~such as removing~~
178 an eyelash by epilation, probing an uninflamed tear duct in a
179 patient 18 years of age or older, blocking the puncta by plug,
180 or superficial scraping for the purpose of removing damaged
181 epithelial tissue or superficial foreign bodies or taking a
182 culture of the surface of the cornea or conjunctiva.

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185 **T I T L E A M E N D M E N T**

186 Remove lines 48-56 and insert:
187 requiring licensed practitioners who are not certified
188 optometrists to display in their practices a sign containing

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 631 (2021)

Amendment No. 1

189 | specified information; amending s. 463.014, F.S.; revising a
190 | prohibition on