

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

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 WITHDRAWN _____ (Y/N)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

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

3 Representative Rizo offered the following:

4

5 **Amendment**

6 Remove lines 63-595 and insert:

7 (4) "Certified optometrist" or "certified optometric
 8 physician" means a licensed practitioner authorized by the board
 9 to administer and prescribe ocular pharmaceutical agents.

10 (5)-(12) "Clock hours" means the actual time engaged in
 11 approved coursework and clinical training.

12 (6)-(2) "Department" means the Department of Health.

13 (7)-(8) "Direct supervision" means supervision to an extent
 14 that the licensee remains on the premises while all procedures
 15 are being done and gives final approval to any procedures
 16 performed by an employee.

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17 ~~(8)-(9)~~ "General supervision" means the responsible
18 supervision of supportive personnel by a licensee who need not
19 be present when such procedures are performed, but who assumes
20 legal liability therefor. Except in cases of emergency, "general
21 supervision" shall require the easy availability or physical
22 presence of the licensee for consultation with and direction of
23 the supportive personnel.

24 ~~(9)-(3)-(a)~~ "Licensed practitioner" means a person who is a
25 primary health care provider licensed to engage in the practice
26 of optometry under ~~the authority of this chapter.~~ For persons
27 licensed under this chapter after July 1, 1993, the term
28 includes only certified optometrists.

29 ~~(b) A licensed practitioner who is not a certified~~
30 ~~optometrist shall be required to display at her or his place of~~
31 ~~practice a sign which states, "I am a Licensed Practitioner, not~~
32 ~~a Certified Optometrist, and I am not able to prescribe ocular~~
33 ~~pharmaceutical agents."~~

34 ~~(c) All practitioners initially licensed after July 1,~~
35 ~~1993, must be certified optometrists.~~

36 ~~(10)-(5)~~ "Ocular pharmaceutical agent" means a
37 pharmaceutical agent that is administered or prescribed
38 ~~topically or orally~~ for the diagnosis or treatment of ocular
39 conditions of the human eye and its appendages ~~without the use~~
40 ~~of surgery or other invasive techniques.~~

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41 (11) "Optometrist certified in ophthalmic procedures"
42 means a certified optometrist who may perform board-approved
43 laser and non-laser ophthalmic procedures and therapies under s.
44 463.0056.

45 (12)-(7) "Optometry" means the diagnosis, evaluation,
46 treatment, and management of conditions of the human eye and its
47 appendages, including any visual, muscular, neurological, or
48 anatomical anomalies and chronic systemic conditions relating to
49 the eye and its appendages; the determination of the refractive
50 powers of the human eyes; and the prescribing and employment of
51 any objective or subjective means or methods, including the
52 administration of ocular pharmaceutical agents, contact lenses,
53 spectacle lenses, magnification lenses, orthoptic exercises,
54 vision therapy, low vision rehabilitation devices,
55 electromagnetic waves, pulsating light and light frequencies,
56 ophthalmic procedures and therapies, and neuro-optometric
57 rehabilitative therapy for the diagnosis, evaluation,
58 correction, remedy, treatment, management, or relief of any
59 insufficiency, anomaly, abnormality, or disease condition
60 relating to the human eye or its appendages. For purposes of
61 this subsection, the term "refractive" means the use of lenses
62 and ocular pharmaceutical agents during the course of a
63 comprehensive medical eye examination to determine a patient's
64 visual, neurological, and physical requirements to attain
65 optimal visual and perceptual performance. for the purpose of

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66 ~~determining the refractive powers of the human eyes, or any~~
67 ~~visual, muscular, neurological, or anatomic anomalies of the~~
68 ~~human eyes and their appendages; and the prescribing and~~
69 ~~employment of lenses, prisms, frames, mountings, contact lenses,~~
70 ~~orthoptic exercises, light frequencies, and any other means or~~
71 ~~methods, including ocular pharmaceutical agents, for the~~
72 ~~correction, remedy, or relief of any insufficiencies or abnormal~~
73 ~~conditions of the human eyes and their appendages.~~

74 (13) "Refraction" means the use of lenses and ocular
75 pharmaceutical agents during the course of a comprehensive
76 medical eye examination to determine a patient's visual,
77 neurological, and physical requirements to attain optimal visual
78 and perceptual performance.

79 (14)~~(6)~~ "Surgery" means a procedure using an instrument,
80 ~~including a laser, scalpel, or needle,~~ in which human tissue is
81 cut, burned, scraped, except as provided in s. 463.0135(12) s.
82 ~~463.014(4), or vaporized, by incision, injection, ultrasound,~~
83 ~~laser, infusion, cryotherapy, or radiation.~~ The term includes a
84 procedure using an instrument which requires the closure of
85 human tissue by suture, clamp, or other such device. The term
86 does not include an ophthalmic procedure that does not burn,
87 cut, or incise the globe or require the closure of human tissue.

88 (15)~~(11)~~ "Transcript-quality" means a live and in-person
89 course which is in conjunction with or sponsored by a school or
90 college of optometry or equivalent educational entity, which

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91 course is approved by the board and requires a test and passing
92 grade.

93 **Section 2. Subsections (2) and (4) of section 463.003,**
94 **Florida Statutes, are amended to read:**

95 463.003 Board of Optometry.—

96 (2) Five members of the board must be certified
97 optometrists or optometrists certified in ophthalmic procedures
98 ~~licensed practitioners~~ actively practicing in this state. The
99 remaining two members must be citizens of the state who are not,
100 and have never been, licensed practitioners and who are in no
101 way connected with the practice of optometry or with any vision-
102 oriented profession or business. At least one member of the
103 board must be 60 years of age or older.

104 (4) All applicable provisions of chapter 456 relating to
105 activities of regulatory boards that do not conflict with this
106 chapter shall apply.

107 **Section 3. Subsection (1) of section 463.005, Florida**
108 **Statutes, is amended to read:**

109 463.005 Authority of the board.—

110 (1) The Board of Optometry shall ~~has authority to~~ adopt
111 rules pursuant to ss. 120.536(1) and 120.54 to implement the
112 provisions of this chapter conferring duties upon it. Such rules
113 must ~~shall~~ include, but not be limited to, rules relating to all
114 of the following:

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115 (a) Standards of practice, including, but not limited to,
116 those provided ~~for~~ in s. 463.0135.

117 (b) Minimum equipment that a certified optometrist, an
118 optometrist certified in ophthalmic procedures, or ~~which~~ a
119 licensed practitioner must ~~shall~~ at all times possess to
120 lawfully engage in the practice of optometry.

121 (c) Minimum procedures that ~~which shall~~ constitute a
122 visual examination.

123 (d) Procedures for the safekeeping and transfer of
124 prescription files or case records ~~upon the discontinuance of~~
125 ~~practice.~~

126 (e) Supervision of supportive personnel.

127 (f) Courses and procedures for continuing education.

128 (g) Practices and procedures related to the administration
129 and prescription of ocular pharmaceutical agents.

130 (h) Laser and non-laser ophthalmic procedures and
131 therapies an optometrist certified in ophthalmic procedures may
132 perform, including, but not limited to, the standards of
133 practice for such ophthalmic procedures and therapies.

134 (i) The scope of practice of optometry, including
135 ophthalmic procedures, as described in this chapter.

136 (j) Required content, grading criteria, and passing scores
137 for licensure examinations under s. 463.006.

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138 (k) The accredited schools or colleges of optometry that
139 are approved by the board for the purpose of licensure under s.
140 463.006.

141 (l) Terms and titles permitted for use in advertisements
142 by persons licensed under this section and providers registered
143 under s. 456.47(4).

144 (m) Standards for the use of telehealth by providers
145 licensed under this section and providers registered under s.
146 456.47(4).

147 (n) Requirements to obtain and maintain an out-of-state
148 telehealth provider registration as provided under s. 456.47(4),
149 including, but not limited to, application requirements,
150 continuing education requirements, scope of practice, standards
151 of practice, and renewal process for registration.
152 Notwithstanding s. 456.47(4), the board may not approve any
153 applicant for out-of-state telehealth registration who does not
154 hold a license issued by another state, the District of
155 Columbia, or a territory of the United States that is
156 substantially similar to a license held by a certified
157 optometrist under this chapter. Notwithstanding s. 456.47(4), an
158 out-of-state telehealth provider registration as provided under
159 s. 456.47(4) is not valid for more than 2 years.

160 **Section 4. Section 463.0055, Florida Statutes, is amended**
161 **to read:**

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162 463.0055 Administration and prescription of ocular
163 pharmaceutical agents.—

164 (1) (a) Certified optometrists may administer and prescribe
165 ocular pharmaceutical agents as provided in this section for the
166 diagnosis and treatment of ocular conditions of the human eye
167 and its appendages ~~without the use of surgery or other invasive~~
168 ~~techniques~~. However, a licensed practitioner who is not
169 certified may use topically applied anesthetics solely for the
170 purpose of glaucoma examinations, but is otherwise prohibited
171 from administering or prescribing ocular pharmaceutical agents.

172 (b) Before a certified optometrist may administer or
173 prescribe oral ocular pharmaceutical agents, the certified
174 optometrist must provide proof to the department of successful
175 completion of a course and subsequent examination, approved by
176 the board, on general and ocular pharmaceutical agents and the
177 side effects of those agents. The course shall consist of 20
178 contact hours, all of which may be web-based. The ~~first~~ course
179 ~~and examination shall be presented by October 1, 2013, and shall~~
180 be administered ~~at least~~ annually ~~thereafter~~. The course and
181 examination shall be developed and offered jointly by a
182 statewide professional association of physicians in this state
183 accredited to provide educational activities designated for the
184 American Medical Association Physician's Recognition Award (AMA
185 PRA) Category 1 credit and a statewide professional association
186 of licensed practitioners which provides board-approved

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187 continuing education on an annual basis. The board shall review
188 and approve the content of the initial course and examination if
189 the board determines that the course and examination adequately
190 and reliably satisfy the criteria set forth in this section. The
191 board shall thereafter annually review and approve the course
192 and examination if the board determines that the content
193 continues to adequately and reliably satisfy the criteria set
194 forth in this section. Successful completion of the board-
195 approved course and examination may be used by a certified
196 optometrist to satisfy 20 hours of the continuing education
197 requirements in s. 463.007(3), only for the biennial period in
198 which the board-approved course and examination are taken. If a
199 certified optometrist does not complete a board-approved course
200 and examination under this section, the certified optometrist is
201 only authorized to administer and prescribe topical ocular
202 pharmaceutical agents. Beginning July 1, 2025, any person who
203 submits an application for licensure under this chapter must
204 successfully complete the course and examination as a
205 requirement for licensure.

206 (2) (a) The board shall establish a negative formulary of
207 ~~topical~~ ocular pharmaceutical agents that may not be prescribed
208 or ~~and~~ administered by a certified optometrist. ~~The formulary~~
209 ~~shall consist of those topical ocular pharmaceutical agents that~~
210 ~~are appropriate to treat or diagnose ocular diseases and~~
211 ~~disorders and that the certified optometrist is qualified to use~~

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212 ~~in the practice of optometry. The board shall establish, add to,~~
213 ~~delete from, or modify the topical formulary by rule.~~

214 ~~Notwithstanding any provision of chapter 120 to the contrary,~~
215 ~~the topical formulary rule becomes effective 60 days from the~~
216 ~~date it is filed with the Secretary of State.~~

217 ~~(b) The formulary may be added to, deleted from, or~~
218 ~~modified according to the procedure described in paragraph (a).~~
219 ~~Any person who requests an addition, deletion, or modification~~
220 ~~of an authorized topical ocular pharmaceutical agent shall have~~
221 ~~the burden of proof to show cause why such addition, deletion,~~
222 ~~or modification should be made.~~

223 ~~(c) The State Surgeon General shall have standing to~~
224 ~~challenge any rule or proposed rule of the board pursuant to s.~~
225 ~~120.56. In addition to challenges for any invalid exercise of~~
226 ~~delegated legislative authority, the administrative law judge,~~
227 ~~upon such a challenge by the State Surgeon General, may declare~~
228 ~~all or part of a rule or proposed rule invalid if it:~~

229 ~~1. Does not protect the public from any significant and~~
230 ~~discernible harm or damages;~~

231 ~~2. Unreasonably restricts competition or the availability~~
232 ~~of professional services in the state or in a significant part~~
233 ~~of the state; or~~

234 ~~3. Unnecessarily increases the cost of professional~~
235 ~~services without a corresponding or equivalent public benefit.~~

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237 ~~However, there shall not be created a presumption of the~~
238 ~~existence of any of the conditions cited in this subsection in~~
239 ~~the event that the rule or proposed rule is challenged.~~

240 ~~(b)(d)~~ Upon adoption of the negative formulary required by
241 this section, and upon each addition, deletion, or modification
242 to the formulary, the board shall mail a copy of the amended
243 formulary to each certified optometrist and to each pharmacy
244 licensed by the state.

245 ~~(3)~~ ~~In addition to the formulary of topical ocular~~
246 ~~pharmaceutical agents established by rule of the board, there is~~
247 ~~created a statutory formulary of oral ocular pharmaceutical~~
248 ~~agents, which includes the following agents:~~

249 ~~(a)~~ ~~The following analgesics or their generic or~~
250 ~~therapeutic equivalents, which may not be administered or~~
251 ~~prescribed for more than 72 hours without consultation with a~~
252 ~~physician licensed under chapter 458 or chapter 459 who is~~
253 ~~skilled in diseases of the eye:~~

- 254 ~~1. Tramadol hydrochloride.~~
255 ~~2. Acetaminophen 300 mg with No. 3 codeine phosphate 30~~
256 ~~mg.~~

257 ~~(b)~~ ~~The following antibiotics or their generic or~~
258 ~~therapeutic equivalents:~~

- 259 ~~1. Amoxicillin with or without clavulanic acid.~~
260 ~~2. Azithromycin.~~
261 ~~3. Erythromycin.~~

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262 ~~4. Dicloxacillin.~~

263 ~~5. Doxycycline/Tetracycline.~~

264 ~~6. Keflex.~~

265 ~~7. Minocycline.~~

266 ~~(c) The following antivirals or their generic or~~
267 ~~therapeutic equivalents:~~

268 ~~1. Acyclovir.~~

269 ~~2. Famciclovir.~~

270 ~~3. Valacyclovir.~~

271 ~~(d) The following oral anti-glaucoma agents or their~~
272 ~~generic or therapeutic equivalents, which may not be~~
273 ~~administered or prescribed for more than 72 hours:~~

274 ~~1. Acetazolamide.~~

275 ~~2. Methazolamide.~~

276

277 ~~Any oral ocular pharmaceutical agent that is listed in the~~
278 ~~statutory formulary set forth in this subsection and that is~~
279 ~~subsequently determined by the United States Food and Drug~~
280 ~~Administration to be unsafe for administration or prescription~~
281 ~~shall be considered to have been deleted from the formulary of~~
282 ~~oral ocular pharmaceutical agents. The oral ocular~~
283 ~~pharmaceutical agents on the statutory formulary set forth in~~
284 ~~this subsection may not otherwise be deleted by the board, the~~
285 ~~department, or the State Surgeon General.~~

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286 (3)-(4) A certified optometrist shall be issued a
287 prescriber number by the board. Any prescription written by a
288 certified optometrist for an ocular pharmaceutical agent
289 pursuant to this section shall have the prescriber number
290 printed thereon. A certified optometrist may not administer or
291 prescribe any of the following:

292 (a) A controlled substance listed in Schedule II, Schedule
293 III, Schedule IV, or Schedule V of s. 893.03, except for an oral
294 analgesic placed on the formulary pursuant to this section for
295 the relief of pain due to ocular conditions of the eye and its
296 appendages; or-

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

299 **Section 5. Section 463.0056, Florida Statutes, is created**
300 **to read:**

301 463.0056 Ophthalmic procedures and therapies.-

302 (1)(a) An optometrist certified in ophthalmic procedures
303 may perform laser and non-laser ophthalmic procedures and
304 therapies as authorized by the board but may not perform an
305 ophthalmic procedure or therapy that requires preoperative
306 medications or drug-induced alteration of consciousness.
307 However, an optometrist certified in ophthalmic procedures may
308 use medication for minimal tranquilization of the patient and
309 local or topical anesthesia if the chances of complications
310 requiring hospitalization of the patient as a result are remote.

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311 (b) To be certified to perform ophthalmic procedures, a
312 certified optometrist must first provide proof to the department
313 of successful completion of a course and subsequent examination,
314 approved by the board, on laser and non-laser ophthalmic
315 procedures and therapy. The course and examination shall be
316 developed and offered jointly by a statewide professional
317 association of physicians in this state accredited to provide
318 educational activities designated for the American Medical
319 Association Physician's Recognition Award Category 1 credit and
320 a statewide professional association of licensed practitioners
321 which provides board-approved continuing education on an annual
322 basis. The board shall review and approve the content of the
323 initial course and examination if the board determines that the
324 course and examination adequately and reliably satisfy the
325 criteria provided in this section. The board shall thereafter
326 annually review and approve the examination if the board
327 determines that the content continues to adequately and reliably
328 satisfy the criteria provided in this section. Successful
329 completion of the board-approved course and examination may be
330 used by a certified optometrist to satisfy the continuing
331 education requirements in s. 463.007(3) only for the biennial
332 period in which the board-approved course and examination are
333 taken. If a certified optometrist does not complete a board-
334 approved course and examination under this section, the

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335 certified optometrist may not perform ophthalmic procedures
336 described in paragraph (a).

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

340 (a) Laser vision correction, penetrating keratoplasty, and
341 corneal or lamellar keratoplasty.

342 (b) Laser of the vitreous chamber or retina of the eye to
343 treat any vitreomacular or retinal disease.

344 (c) Surgery of the eyelid for suspected eyelid
345 malignancies or for incisional cosmetic or mechanical repair of
346 blepharochalasis, ptosis, or tarsorrhaphy.

347 (d) Surgery of the boney orbit, including, but not limited
348 to, orbital implants or removal of the human eye.

349 (e) Incisional or excisional surgery of the lacrimal
350 system other than lacrimal probing or related procedures.

351 (f) Surgery requiring full thickness incision or excision
352 of the cornea or sclera other than paracentesis in an emergency
353 situation requiring immediate reduction of elevated pressure
354 inside the eye.

355 (g) Surgery requiring incision or excision by scalpel of
356 the iris and ciliary body, including, but not limited to, iris
357 diathermy or cryotherapy.

358 (h) Surgery requiring incision or excision of the vitreous
359 or retina.

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360 (i) Surgery requiring incision or excision of the
361 crystalline lens or an intraocular prosthetic implant.

362 (j) Surgery involving incision or excision of the
363 extraocular muscles.

364 (k) Surgery requiring full thickness conjunctivoplasty
365 with graft or flap.

366 (l) Pterygium surgery.

367 (m) Any other procedure or therapy as determined by the
368 board.

369 **Section 6. Section 463.006, Florida Statutes, is amended**
370 **to read:**

371 463.006 Licensure and certification by examination.—

372 (1) Any person desiring to be a certified optometrist
373 under licensed practitioner pursuant to this chapter must apply
374 to the department, submit to background screening in accordance
375 with s. 456.0135, and must submit proof to the department that
376 she or he meets all of the following criteria:

377 (a) Has completed the application forms as required by the
378 board, remitted an application fee for certification not to
379 exceed \$250, remitted an examination fee for certification not
380 to exceed \$250, and remitted an examination fee for licensure
381 not to exceed \$325, all as set by the board.

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

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

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385 (d) Is of good moral character.

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

390 1. Has facilities for both didactic and clinical
391 instructions in pharmacology; and

392 2. Is accredited by a regional or professional accrediting
393 organization that is recognized and approved by the Commission
394 on Recognition of Postsecondary Accreditation or the United
395 States Department of Education.

396 (f) Has completed at least 1 year of supervised experience
397 in differential diagnosis of eye disease or disorders as part of
398 the optometric training or in a clinical setting as part of the
399 optometric experience.

400 (g) Has successfully completed and passed a course and
401 examination as provided in s. 463.0055(1)(b).

402 (2) The board shall approve a licensure examination
403 consisting of the appropriate subjects and including applicable
404 state laws and rules and general and ocular pharmacology with
405 emphasis on the use and side effects of ocular pharmaceutical
406 agents. The board may by rule substitute a national examination
407 as part or all of the examination and, notwithstanding chapter
408 456, may by rule offer a practical examination in addition to a
409 written examination. The board shall determine the required

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410 content, grading criteria, and passing score for the licensure
411 examination.

412 (3) Each applicant who submits proof satisfactory to the
413 board that he or she has met the requirements of subsection (1),
414 who successfully passes the licensure examination within 3 years
415 before the date of application or within 3 years after the
416 submission of an application, and who otherwise meets the
417 requirements of this chapter is entitled to be licensed as a
418 certified optometrist practitioner ~~and to be certified to~~
419 ~~administer and prescribe ocular pharmaceutical agents in the~~
420 ~~diagnosis and treatment of ocular conditions.~~

421 (4) All optometrists initially licensed on or after July
422 1, 2025, must be licensed as a certified optometrist.

423 **Section 7. Subsection (4) of section 463.007, Florida**
424 **Statutes, is renumbered as subsection (5) and a new subsection**
425 **(4) is added to that section, to read:**

426 463.007 Renewal of license; continuing education.—

427 (4) As of July 1, 2025, successful completion of the
428 course and passage of the examination specified in s.
429 463.0055(1)(b) is required as a condition of licensure renewal
430 for any certified optometrist who has not already successfully
431 completed the course and passed the examination.

432 **Section 8. Subsections (12) and (13) are added to section**
433 **463.0135, Florida Statutes, to read:**

434 463.0135 Standards of practice.—

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435 (12) Certified optometrists may remove superficial foreign
436 bodies. For the purpose of this subsection, the term
437 "superficial foreign bodies" means any foreign matter that is
438 embedded in the conjunctiva or cornea that has not penetrated
439 the globe. Notwithstanding the definition of surgery in s.
440 463.002, a certified optometrist may provide any optometric care
441 within the scope of practice of optometry as defined in s.
442 463.002, including, but not limited to, removing an eyelash,
443 removal of eyelid skin tags, removal of styes, ophthalmic
444 procedures as defined and approved by the board, probing an
445 uninflamed tear duct in a patient 18 years of age or older,
446 blocking the puncta, or superficial scraping for the purpose of
447 removing damaged epithelial tissue or superficial foreign bodies
448 or taking a culture of the surface of the cornea or conjunctiva.

449 (13) A licensed practitioner who is not a certified
450 optometrist is required to display at her or his place of
451 practice a sign that states, "I am a Licensed Practitioner, not
452 a Certified Optometrist, and I am not able to prescribe ocular
453 pharmaceutical agents or perform ophthalmic procedures."

454 **Section 9. Subsections (1), (4), and (5) of section**
455 **463.014, Florida Statutes, are amended, to read:**

456 463.014 Certain acts prohibited.—

457 (1) (a) A ~~Ne~~ corporation, lay body, organization, or
458 individual other than a licensed practitioner may not shall
459 engage in the practice of optometry through the means of

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460 engaging the services, upon a salary, commission, or other means
461 or inducement, of any person licensed to practice optometry in
462 this state. ~~Nothing in This section does not shall be deemed to~~
463 prohibit the association of a licensed practitioner with a
464 multidisciplinary group of licensed health care professionals,
465 the primary objective of which is the diagnosis and treatment of
466 the human body.

467 (b) ~~A No~~ licensed practitioner may not ~~shall~~ engage in the
468 practice of optometry with any corporation, organization, group,
469 or lay individual. This paragraph does ~~provision shall~~ not
470 prohibit licensed practitioners from employing, or from forming
471 partnerships or professional associations with, licensed
472 practitioners licensed in this state or with other licensed
473 health care professionals, the primary objective of whom is the
474 diagnosis and treatment of the human body.

475 (c) ~~A No~~ rule of the board may not ~~shall~~ forbid the
476 practice of optometry in or on the premises of a commercial or
477 mercantile establishment. Notwithstanding this paragraph, a
478 commercial or mercantile establishment or other such entity may
479 not have any control over the manner in which a licensee under
480 this chapter practices optometry. Any violation of this
481 paragraph will be deemed as unlicensed practice of optometry as
482 specified in s. 463.015(1)(a). Individual owners, officers, or
483 directors of any commercial or mercantile establishment or other

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484 such entity in violation of this section will be deemed to have
485 committed the unlicensed practice of optometry.

486 (d) A ~~No~~ licensed practitioner may not practice under
487 practice identification names, trade names, or service names,
488 unless any dissemination of information by the practitioner to
489 consumers contains the name under which the practitioner is
490 licensed or that of the professional association in which the
491 practitioner participates. Any advertisement or other
492 dissemination of information to consumers may contain factual
493 information as to the geographic location of licensed
494 practitioners or of the availability of optometric services.

495 (e) A ~~No~~ licensed practitioner may not ~~shall~~ adopt and
496 publish or cause to be published any practice identification
497 name, trade name, or service name which is, contains, or is
498 intended to serve as an affirmation of the quality or
499 competitive value of the optometric services provided at the
500 identified practice.

501 ~~(4) Surgery of any kind is expressly prohibited. Certified~~
502 ~~optometrists may remove superficial foreign bodies. For the~~
503 ~~purposes of this subsection, the term "superficial foreign~~
504 ~~bodies" means any foreign matter that is embedded in the~~
505 ~~conjunctiva or cornea but that has not penetrated the globe.~~
506 ~~Notwithstanding the definition of surgery as provided in s.~~
507 ~~463.002(6), a certified optometrist is not prohibited from~~
508 ~~providing any optometric care within the practice of optometry~~

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509 ~~as defined in s. 463.002(7), such as removing an eyelash by~~
510 ~~epilation, probing an uninflamed tear duct in a patient 18 years~~
511 ~~of age or older, blocking the puncta by plug, or superficial~~
512 ~~scrapping for the purpose of removing damaged epithelial tissue~~
513 ~~or superficial foreign bodies or taking a culture of the surface~~
514 ~~of the cornea or conjunctiva.~~

515 ~~(4)-(5)~~ A ~~No~~ rule of the board may not ~~shall~~ prohibit a
516 licensed practitioner from authorizing a board-certified
517 optician to fill, fit, adapt, or dispense a contact lens
518 prescription as authorized under chapter 484.

519 **Section 10. Section 463.009, Florida Statutes, is amended**
520 **to read:**

521 463.009 Supportive personnel.—No person other than a
522 licensed practitioner may engage in the practice of optometry as
523 defined in s. 463.002 ~~s. 463.002(7)~~. Except as provided in this
524 section, under no circumstances shall nonlicensed supportive
525 personnel be delegated diagnosis or treatment duties; however,
526 such personnel may perform data gathering, preliminary testing,
527 prescribed visual therapy, and related duties under the direct
528 supervision of the licensed practitioner. Nonlicensed personnel,
529 who need not be employees of the licensed practitioner, may
530 perform ministerial duties, tasks, and functions assigned to
531 them by and performed under the general supervision of a
532 licensed practitioner, including obtaining information from
533 consumers for the purpose of making appointments for the

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534 licensed practitioner. The licensed practitioner shall be
535 responsible for all delegated acts performed by persons under
536 her or his direct and general supervision.

537 **Section 11. Section 463.0185, Florida Statutes, is created**
538 **to read:**

539 463.0185 Certified optometrist titles and abbreviations.-
540 An optometrist licensed under chapter 463 may use the following
541 titles and abbreviations as applicable to his or her license and
542 certification, including "optometrist," "licensed optometrist,"
543 "Doctor of Optometry," "O.D.," "optometric physician," "board
544 certified optometrist," "board certified optometric physician,"
545 "American Board of Optometry (ABO)