

HOUSE BILL REPORT

ESHB 2034

As Passed House:

March 14, 2001

Title: An act relating to authorizing optometrists to use and prescribe approved drugs for diagnostic or therapeutic purposes without limitation upon the methods of delivery in the practice of optometry.

Brief Description: Authorizing optometrists to use and prescribe approved drugs for diagnostic or therapeutic purposes without limitation upon the methods of delivery in the practice of optometry.

Sponsors: By House Committee on Health Care (originally sponsored by Representatives Campbell, Hankins, O'Brien, Kagi, Reardon, Lambert, Boldt, Schoesler, Linville, Van Luven, Morris, Mastin, Murray, Santos, Talcott, Grant, Morell, Lisk, Dickerson, Carrell, Quall, Delvin, Miloscia, Conway, Buck, Kenney, Esser, Mulliken, G. Chandler, Bush, Ruderman, Benson, Haigh, Rockefeller, McDermott, Tokuda, Lovick, B. Chandler, Veloria, Dunn, Casada, Mielke, Pearson, Roach, Cooper, Simpson, Jackley, Ogden, Kessler, Anderson, DeBolt, Crouse, Pennington, Mitchell, Cairnes, D. Schmidt, Ericksen, Barlean, Pflug, Ahern, Cox, Hatfield, Doumit, Dunshee, Eickmeyer, Keiser, Poulsen, Gombosky, Romero, Fisher, Kirby and Hurst).

Brief History:

Committee Activity:

Health Care: 2/20/01, 2/22/01 [DPS].

Floor Activity:

Passed House: 3/14/01, 80-17.

Brief Summary of Engrossed Substitute Bill

- Optometrists may be certified by the Board of Optometry for the use of Schedule III through V controlled substances for diagnostic and therapeutic purposes related to the practice of optometry, after completing specified hours of didactic and clinical instruction.
- Optometrists may be certified by the board for using or prescribing these controlled substances through oral administration after completing additional specified hours of instruction.
- The Board of Optometry is authorized to establish a list of Schedule III through V controlled substances, with the approval of the Board of Pharmacy, for use by optometrists limited to the practice of optometry.
- Certain procedures are not authorized, including retinal surgery and laser surgery; injectable drugs except for treatment of anaphylactic shock; and Schedules I and II controlled substances.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Alexander, Conway, Edmonds, Marine, McMorris, Pennington and Ruderman.

Minority Report: Do not pass. Signed by 5 members: Representatives Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Ballasiotes, Darneille and Edwards.

Staff: John Welsh (786-7133).

Background:

The practice of optometry is licensed by the Department of Health and involves the examination of the human eye, the examination and ascertaining of any defects of the human vision system, and the analysis of the process of vision. The Board of Optometry examines applicants for licensing and acts as the disciplinary authority, and otherwise governs the practice of optometry.

The scope of practice of optometry includes the use of topically applied drugs for diagnostic and therapeutic purposes. Optometrists certified by the board for using drugs

for diagnostic purposes must have a minimum of 60 hours of didactic and clinical instruction in general and ocular pharmacology as applied to optometry. Optometrists administering topically applied drugs for therapeutic purposes must have an additional 75 hours of didactic and clinical instruction. The board must establish a schedule of drugs limited to the practice of optometry for optometric practice.

Summary of Bill:

An optometrist certified by the Board of Optometry may use prescription drugs and controlled substances for diagnostic and therapeutic purposes.

An optometrist using drugs for diagnostic purposes must have a minimum of 60 hours of didactic and clinical instruction in general and ocular pharmacology as applied to optometry, and be certified by the board.

An optometrist using or prescribing drugs including Schedule III through V controlled substances administered orally must complete an additional 24 hours of didactic and clinical instruction, and be certified by the board.

The board must establish a list of Schedule III through V controlled substances for optometry, with the approval of the Board of Pharmacy. The board must establish, by rule, specific guidelines for the prescription and administration of drugs with the approval of the Board of Pharmacy. The use of drugs in optometry must be specifically limited to those related to the practice of optometry, and the use of Schedule III through V controlled substances is restricted to no more than seven days for a single condition.

Nothing in the law is construed to authorize injectable drugs except epinephrine for treatment of anaphylactic shock; retinal surgery, and laser surgery; or use of Schedules I and II controlled substances.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Optometrists need to be able to prescribe and dispense drugs for severe pain, and post-operative and potentially dangerous infections. The ability to administer dyes intravenously for diagnostic purposes is also needed. Delays in getting patient's needed drugs for pain and infection incurs costs, extends pain and presents a risk of long-term damage. Optometrists are adequately trained in pharmacology to use controlled substances related to the practice of optometry.

Testimony Against: The optometrist scope of practice doesn't confer the ability to diagnose and treat all eye diseases. Full prescriptive authority wrongly implies this and the board would then be inclined to enact rules expanding the scope of practice beyond the statutory authority. The specified hours of training in pharmacology is inadequate to enable the use of dangerous drugs, unlike the integrated educational regimen for medical practice.

Testified: (In support) Jerry Farley, Don James, Linda Casser, Kathy Yang-Williams, and Paul Williams, Washington Association of Optometric Physicians.

(Against) Susie Tracy, Robert Nash, Craig Wells, Andy Dolan, Washington Association of Eye Physicians and Surgeons; and Nancy Auer, Washington State Medical Association.