

2023 Regular Session

SENATE BILL NO. 210

BY SENATOR BOUDREAUX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

OPTOMETRY. Provides relative to the practice of optometry. (8/1/23)

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AN ACT

To amend and reenact R.S. 37:1042(A), (B)(1), and (D)(1) and 1056(2), relative to the practice of optometry; to provide for membership of the Louisiana State Board of Optometry Examiners; to provide for continuing education; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1042(A), (B)(1), and (D)(1) and 1056(2) are hereby amended and reenacted to read as follows:

§1042. Louisiana State Board of Optometry Examiners; appointment; terms of members; protected action and communication

A. The Louisiana State Board of Optometry Examiners is created within the Louisiana Department of Health and is subject to the provisions of R.S. 36:803. The board shall consist of ~~five~~ six members who are actively licensed optometrists in good standing with the board and who have practiced optometry in this state for seven years and one consumer member who shall be a representative of minority consumers.

B.(1)(a) One licensed optometrist member of the board shall be a

1 minority appointee selected from the state at large and appointed by the  
2 governor. Any person interested in serving in this position may apply directly  
3 to the office of the governor.

4 (b) One licensed optometrist member of the board shall be appointed by the  
5 governor from each of the five board districts in accordance with this Subsection.  
6 The governor shall ensure that his appointments demonstrate race, gender, ethnic,  
7 and geographical diversity.

8 \* \* \*

9 D.(1) Each appointment by the governor shall be subject to Senate  
10 confirmation. The term of each member shall be five years, except that no person  
11 shall be appointed to serve more than three full terms on the board, whether the  
12 service is consecutive or not. A vacancy occurring during the term of a an  
13 optometrist member shall be filled for the unexpired term by an optometrist  
14 possessing the qualifications for board membership, nominated and appointed in  
15 accordance with Subsection B of this Section. A vacancy in the consumer position  
16 shall be filled with another consumer.

17 \* \* \*

18 §1056. Annual renewal of license to practice

19 All licensed optometrists shall annually:

20 \* \* \*

21 (2)(a) ~~Accompany~~ Except as provided in Subparagraph (b) of this  
22 Paragraph, accompany the payment of the annual renewal fee with evidence  
23 satisfactory to the board of attendance and completion of twelve hours of continuing  
24 education ~~pertaining to subjects required for licensing as set forth in R.S. 37:1051~~  
25 ~~or subjects pertaining to current visual and healthcare practices as are applicable to~~  
26 ~~the practice of optometry.~~

27 (b) If the licensee is authorized to diagnose and treat pathology and to  
28 use and prescribe therapeutic pharmaceutical agents, accompany the payment  
29 of the annual renewal fee with evidence satisfactory to the board of attendance

1 **and completion of sixteen hours of continuing education.**

2 **(c) Half of the required hours of continuing education shall pertain to**  
 3 **ocular and systemic pharmacology and current diagnosis and treatment of**  
 4 **ocular disease and shall be obtained through an in-person classroom setting.**

5 **(d) No licensee shall obtain more than six hours from online education**  
 6 **sources.**

7 **(e) The continuing education required by this Paragraph shall be**  
 8 **obtained, whether in-person or online, through any continuing education**  
 9 **program that is one of the following:**

10 **(i) Offered by a nationally recognized optometric association.**

11 **(ii) Offered by a state affiliate of a nationally recognized optometric**  
 12 **association or a regional council composed of state affiliates of a nationally**  
 13 **recognized optometric association.**

14 **(iii) Offered by a school or college of optometry accredited by the**  
 15 **American Optometric Association Accreditation Council on Optometric**  
 16 **Education.**

17 **(iv) Accredited by a nationally recognized organization.**

18 **(f) All licensed optometrists who have attained the age of sixty years as of**  
 19 **March 1, 1969, shall be exempt from this continuing education requirement.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

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DIGEST

SB 210 Reengrossed

2023 Regular Session

Boudreaux

Present law provides for the La. State Board of Optometry Examiners (board) to be comprised of five actively licensed optometrists and one consumer member. Proposed law adds one additional member who will be an actively licensed minority optometrist.

Present law provides that one licensed optometrist member shall be appointed by the governor from each of the five board districts. Further provides for the nomination and appointment process. Proposed law retains present law and provides that the minority licensed optometrist member shall be selected from the state at large and appointed by the governor. Further provides that any person interested in serving in this position may apply directly to the office of the governor.

Present law provides that the consumer member shall be selected from the state at large and appointed by the governor. Proposed law retains present law and specifies that the consumer

member shall be a representative of minority consumers.

Present law requires an applicant for renewal of a license to complete 12 hours of continuing education pertaining to the subjects required for licensing or subjects pertaining to current visual and healthcare practices applicable to the practice of optometry. Proposed law increases the continuing education requirement to 16 hours if the licensee is authorized to diagnose and treat pathology and to use and prescribe therapeutic pharmaceutical agents.

Proposed law provides that half of the required hours of continuing education for all licensees shall pertain to ocular and systemic pharmacology and current diagnosis and treatment of ocular disease and shall be obtained through an in-person classroom setting. Proposed law further provides that no licensee shall obtain more than six hours from online education sources.

Proposed law requires the continuing education to be obtained, whether in-person or online, through any continuing education program that is one of the following:

- (1) Offered by a nationally recognized optometric association.
- (2) Offered by a state affiliate of a nationally recognized optometric association or a regional council composed of state affiliates of a nationally recognized optometric association.
- (3) Offered by a school or college of optometry accredited by the American Optometric Association Accreditation Council on Optometric Education.
- (4) Accredited by a nationally recognized organization.

Effective August 1, 2023.

(Amends R.S. 37:1042(A), (B)(1), and (D)(1) and 1056(2))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Delete proposed law adding two additional consumer members.
2. Provide for the consumer member to be a representative of minority consumers.
3. Delete proposed law relative to licensure reciprocity.
4. Require certain continuing education hours be obtained in-person.
5. Prohibit a licensee from obtaining more than six hours of continuing education online.
6. Provide for permissible sources of continuing education.
7. Make technical changes.

##### Senate Floor Amendments to engrossed bill

1. Change the permissible sources of continuing education.