

Regular Session, 2011

SENATE BILL NO. 175

BY SENATOR HEITMEIER

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

OPTOMETRY. Provides for the practice of optometry. (8/15/11)

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AN ACT

To amend and reenact R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055, relative to the practice of optometry; to provide for definitions; to provide for the Louisiana State Board of Optometry Examiners; to provide for application requirements; to provide for recording of the certificate of practice; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055 are hereby amended and reenacted to read as follows:

§1041. Legislative declaration; statement of purpose; definitions

* * *

C. As used in this Chapter, the following terms have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

* * *

(2) * * *

(e) Licensed pharmacists of this state shall fill prescriptions for such pharmaceutical agents of licensed optometrists certified by the board to use such pharmaceutical agents. Licensed optometrists certified by the board to use

1 pharmaceutical agents may direct licensed registered nurses, ~~and~~ licensed practical
 2 nurses **and other healthcare personnel** to execute diagnostic and therapeutic orders
 3 and administer pharmaceutical agents. Licensed registered nurses, ~~and~~ licensed
 4 practical nurses **and other healthcare personnel** shall execute diagnostic and
 5 therapeutic orders and administer pharmaceutical agents prescribed by licensed
 6 optometrists certified by the board to use pharmaceutical agents.

7 * * *

8 §1042. Louisiana State Board of Optometry Examiners; appointment; terms of
 9 members; protected action and communication

10 * * *

11 B. Each member of the board shall be appointed by the governor from a list
 12 of three names submitted to him by the board. For the purpose of preparing the list
 13 of three names, the board shall conduct an annual meeting on the second Saturday
 14 of June, 1975, and ~~on the second Saturday of June of~~ **in** each succeeding year
 15 thereafter **on a date in June set by the board annually**, at which all optometrists
 16 licensed under the laws of Louisiana shall have the right to attend, nominate and
 17 vote. The board shall have the authority to regulate and prescribe the place and hour
 18 of the meeting, the method of nomination, and the manner of voting. Each
 19 optometrist in attendance shall have the right to vote for those persons duly
 20 nominated and no cumulative or proxy voting shall be permitted. Each optometrist
 21 voting must vote for three nominees in order for his ballot to be valid, and any ballot
 22 indicating votes for more or less than three nominees shall be null and void. The
 23 three persons receiving the greatest number of votes of those in attendance at the
 24 meeting shall be the three persons whose names shall be submitted to the governor
 25 for appointment to the board. At least thirty days prior to said meeting the board
 26 shall mail notices to each optometrist licensed under the laws of Louisiana at the
 27 address shown in his current registration notifying each optometrist of the exact date,
 28 place and hour of the meeting, the purpose of the meeting and of his right to attend
 29 and vote. The members of the board serving on July 31, 1974, shall continue on the

1 board and serve out their terms pursuant to their original appointments.

2 * * *

3 §1050. Application requirements

4 * * *

5 B. The application, together with the supporting documents, shall be filed
6 with the secretary-treasurer of the board on or before thirty days prior to the date set
7 for examination **unless, through no fault of the applicant, in the opinion of the**
8 **board the documents are not available at this time.**

9 * * *

10 §1055. Recording of certificate

11 Every person before beginning the practice of optometry in this state shall
12 record the certificate issued to him by the board in the parish in which he desires to
13 practice. ~~Until his certificate is recorded he shall not engage in the practice of~~
14 ~~optometry.~~

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

DIGEST

Present law provides that licensed optometrists certified by the board to use pharmaceutical agents may direct licensed registered nurses and licensed practical nurses to execute diagnostic and therapeutic orders and administer pharmaceutical agents.

Proposed law retains present law and expands the type of healthcare personnel which may execute diagnostic and therapeutic orders and administer pharmaceutical agents.

Present law provides that the board shall conduct an annual meeting on the second Saturday of June each year.

Proposed law allows the board to determine a date in June on which to conduct the annual meeting.

Present law provides that the application, together with the supporting documents, shall be filed with the secretary-treasurer of the board on or before thirty days prior to the date set for examination.

Proposed law retains present law and adds an exception to the requirement of the application and supporting documents having to be filed with the secretary if through no fault of the applicant, in the opinion of the board, the documents are not available at this time.

Present law provides until a certificate of practice is recorded an optometrist shall not engage in the practice of optometry.

Proposed law removes present law.

Effective August 15, 2011.

(Amends R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055)