SLS 11RS-441 REENGROSSED

Regular Session, 2011

1

SENATE BILL NO. 175

BY SENATOR HEITMEIER

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

AN ACT

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

2	To amend and reenact R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055, relative to the
3	practice of optometry; to provide for definitions; to provide for the Louisiana State
4	Board of Optometry Examiners; to provide for application requirements; to provide
5	for recording of the certificate of practice; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055 are hereby amended
8	and reenacted to read as follows:
9	§1041. Legislative declaration; statement of purpose; definitions
10	* * *
11	C. As used in this Chapter, the following terms have the meaning ascribed
12	to them in this Section, unless the context clearly indicates otherwise:
13	* * *
14	(2) * * *
15	(e) Licensed pharmacists of this state shall fill prescriptions for such
16	pharmaceutical agents of licensed optometrists certified by the board to use such
17	pharmaceutical agents. Licensed optometrists certified by the board to use

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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pharmaceutical agents may direct licensed registered nurses, and licensed practical nurses and other healthcare personnel to execute diagnostic and therapeutic orders and administer pharmaceutical agents. Licensed registered nurses, and licensed practical nurses and other healthcare personnel shall execute diagnostic and therapeutic orders and administer pharmaceutical agents prescribed by licensed optometrists certified by the board to use pharmaceutical agents.

* * *

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

* * *

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

1 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 with the secretary-treasurer of the board on or before thirty days prior to the date set 6 for examination unless, in the opinion of the board, the documents, through no 7 8 fault of the applicant, are not available at this time. 9 10 §1055. Recording of certificate Every person before beginning the practice of optometry in this state shall 11 record the certificate issued to him by the board in the parish in which he desires to 12 13 practice. Until his certificate is recorded he shall not engage in the practice of 14 optometry. The original instrument was prepared by Greg Waddell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Heitmeier (SB 175)

<u>Present law</u> 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.

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

<u>Present law</u> provides that the board shall conduct an annual meeting on a date in June set by the board annually.

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

<u>Present law</u> 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.

<u>Proposed law</u> retains <u>present law</u> 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.

<u>Present law</u> provides until a certificate of practice is recorded an optometrist shall not engage

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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)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

- 1. Changes the time of the annual board meeting <u>from</u> the second Saturday of June <u>to</u> a date in June set by the board annually.
- 2. Deletes obsolete provisions.
- 3. Legislative Bureau technical amendments.