

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1254

5 By: Representative Magie
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For An Act To Be Entitled

8 AN ACT TO MODIFY THE DEFINITION OF "OPHTHALMIC
9 DISPENSING" TO INCLUDE THE PREPARATION AND DISPENSING
10 OF CONTACT LENSES; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO MODIFY THE DEFINITION OF "OPHTHALMIC
14 DISPENSING" TO INCLUDE THE PREPARATION
15 AND DISPENSING OF CONTACT LENSES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 17-89-102(4), concerning the definition of
22 "ophthalmic dispensing", is amended to read as follows:

23 (4)(A) "Ophthalmic dispensing" means the preparation of
24 laboratory work orders, verification, and dispensing of spectacle lenses,
25 spectacles, eyeglasses, or parts thereof, or contact lenses to the intended
26 wearer on a written prescription from a licensed physician skilled in disease
27 of the eye or from a licensed optometrist.

28 (B) "~~Ophthalmic~~ Ophthalmic dispensing" ~~shall include~~
29 includes:

30 (i) The measuring, fitting, adapting, and adjusting
31 of spectacle lenses, spectacles, eyeglasses, or parts thereof to the human
32 face;

33 (ii) The preparation and delivery of work orders to
34 laboratory technicians engaged in grinding lenses and fabrication of eyewear;

35 (iii) The verification of the quality of finished
36 spectacle lenses, spectacles, or eyeglasses; ~~and~~



1 (iv) The adjustment or repair of spectacle frames to
 2 the human face; and

3 (v) The dispensing, modifying, selling, or supplying
 4 of contact by a licensed dispensing optician.

5 (C) ~~The prescribing, adapting, fitting, duplicating,~~
 6 ~~dispensing, modifying, selling, or supplying~~ of contact lenses for or to the
 7 human eye is specifically excluded;

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 9 SECTION 2. Arkansas Code § 17-89-104(d), concerning the prohibition of
 10 the practice of optometry or medicine by licensed dispensing opticians, is
 11 amended to read as follows:

12 (d) ~~The prescribing, adapting, fitting, duplicating, dispensing,~~
 13 ~~modifying, selling, or supplying~~ of contact lenses for or to the human eye is
 14 specifically prohibited except when done by a licensed optometrist or
 15 licensed physician skilled in disease of the eye.

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 17 SECTION 3. Arkansas Code Title 17, Chapter 89, Subchapter 4, is
 18 amended to add an additional section to read as follows:

19 17-89-409. Contact lenses.

20 (a) The Arkansas Board of Dispensing Opticians shall adopt rules
 21 concerning the dispensing, selling, and supplying of contact lenses by
 22 licensed dispensing opticians, including establishing appropriate educational
 23 requirements of licensed dispensing opticians.

24 (b) A licensed dispensing optician shall:

25 (1) Dispense contact lenses only upon a written prescription
 26 from a licensed optometrist or licensed physician skilled in disease of the
 27 eye;

28 (2) Advise the intended wearer of the contact lenses at the time
 29 of dispensing to return to the licensed optometrist or licensed physician
 30 skilled in disease of the eye for evaluation and follow-up care;

31 (3) Not fit a generic type of contact lenses or mode of wear for
 32 contact lenses contrary to the type or mode prescribed; and

33 (4) Not duplicate contact lenses solely from previously prepared
 34 contact lenses.