

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)

1 AN ACT

2 To amend and reenact R.S. 37:1042(A), (B)(1), the introductory paragraph of 1042(C)(1)

3 and (C)(2), and (D)(1), 1054, and 1056(2), relative to the practice of optometry; to

4 provide for membership of the Louisiana State Board of Optometry Examiners; to

5 provide for reciprocity; to provide for continuing education; and to provide for

6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:1042(A), (B)(1), the introductory paragraph of 1042(C)(1) and

9 (C)(2), and (D)(1), 1054, and 1056(2) are hereby amended and reenacted to read as follows:

10 §1042. Louisiana State Board of Optometry Examiners; appointment; terms of

11 members; protected action and communication

12 A. The Louisiana State Board of Optometry Examiners is created within the

13 Louisiana Department of Health and is subject to the provisions of R.S. 36:803. The

14 board shall consist of ~~five~~ six members who are actively licensed optometrists in

15 good standing with the board and who have practiced optometry in this state for

16 seven years and ~~one~~ three consumer member members.

17 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 C.(1) The consumer ~~member~~ **members** shall be selected from the state at
10 large and appointed by the governor. Any person interested in serving as ~~the a~~
11 consumer member may apply directly to the office of the governor. **At least one**
12 **consumer member appointee shall be a minority and one shall be a**
13 **representative of the elderly consumers of Louisiana.** The consumer ~~member~~
14 **members** of the board shall possess all of the following qualifications:

15 * * *

16 (2) The consumer ~~member~~ **members** shall be a full voting ~~member~~ **members**
17 of the board with all rights and privileges conferred on board members, except that
18 the consumer ~~member~~ **members** shall not participate in the grading of individual
19 examinations.

20 D.(1) Each appointment by the governor shall be subject to Senate
21 confirmation. The term of each member shall be five years, except that no person
22 shall be appointed to serve more than three full terms on the board, whether the
23 service is consecutive or not. A vacancy occurring during the term of a **an**
24 **optometrist** member shall be filled for the unexpired term by an optometrist
25 possessing the qualifications for board membership, nominated and appointed in
26 accordance with Subsection B of this Section. A vacancy in ~~the a~~ consumer position
27 shall be filled with another consumer.

28 * * *

29 §1054. Applicants from other states; waiver of examination

1 The board may waive the examination provided in R.S. 37:1051 if the
2 applicant presents to the board a satisfactory certificate of registration from a board
3 of optometry examiners of another state, ~~and if the standard of requirements adopted~~
4 ~~and enforced by such board is equal to that provided in this Chapter.~~

5 §1056. Annual renewal of license to practice

6 All licensed optometrists shall annually:

7 * * *

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

14 **(b) If the licensee is authorized to diagnose and treat pathology and to**
15 **use and prescribe therapeutic pharmaceutical agents, accompany the payment**
16 **of the annual renewal fee with evidence satisfactory to the board of attendance**
17 **and completion of sixteen hours of continuing education.**

18 **(c) Half of the required hours of continuing education shall pertain to**
19 **ocular and systemic pharmacology and current diagnosis and treatment of**
20 **ocular disease.**

21 **(d) The continuing education required by this Paragraph shall be**
22 **obtained through any continuing education program that is one of the**
23 **following:**

24 **(i) Accredited by a nationally recognized agency or organization.**

25 **(ii) Offered by a school or college of optometry accredited by the**
26 **American Optometric Association Accreditation Council on Optometric**
27 **Education.**

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

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

DIGEST

SB 210 Original

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 three additional members: one licensed minority optometrist, a minority consumer, and a representative of the elderly consumers of Louisiana.

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 provides that at least one of the consumer members shall be a minority and one shall be a representative of the elderly consumers of Louisiana.

Present law allows the board to waive the examination required for licensure if the applicant presents a satisfactory certificate of registration from a board of optometry examiners of another state whose licensure standards are equal to Louisiana law. Proposed law removes the requirement that the other state board have similar standards for licensure.

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 further 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.

Proposed law further requires the continuing education to be obtained through any continuing education program that is accredited by a nationally recognized agency or organization or offered by a school or college of optometry accredited by the American Optometric Association Accreditation Council on Optometric Education.

Effective August 1, 2023.

(Amends R.S. 37:1042(A), (B)(1), 1042(C)(1)(intro para) and (C)(2), and (D)(1), 1054, and 1056(2))