

# An Act

ENROLLED HOUSE  
BILL NO. 3862

By: Martinez, West (Kevin) and  
Hill of the House

and

Rosino, Bullard and Sharp  
of the Senate

An Act relating to professions and occupations;  
amending 59 O.S. 2011, Section 581, as last amended  
by Section 1, Chapter 21, O.S.L. 2016 (59 O.S. Supp.  
2019, Section 581), which relates to the practice of  
optometry; modifying scope of practice; and providing  
an effective date.

SUBJECT: Optometry

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2011, Section 581, as last  
amended by Section 1, Chapter 21, O.S.L. 2016 (59 O.S. Supp. 2019,  
Section 581), is amended to read as follows:

Section 581. A. The practice of optometry is defined to be the  
science and art of examining the human eye and measurement of the  
powers of vision by the employment of any means, including the use  
or furnishing of any self-testing device, the use of any  
computerized or automatic refracting device, including applications  
designed to be used on a computer or video conferencing via an  
Internet device either in person or in remote locations, the use of  
pharmaceutical agents, the diagnosis of conditions of the human eye,  
and the correcting and relief of ocular abnormalities by means  
including but not limited to prescribing and adaptation of lenses,  
contact lenses, spectacles, eyeglasses, prisms and the employment of  
vision therapy or orthoptics for the aid thereof, low vision  
rehabilitation, laser surgery procedures, excluding retina, laser  
in-situ keratomileusis (LASIK), and cosmetic lid surgery. The  
practice of optometry is further defined to be nonlaser surgery  
procedures as authorized by the Oklahoma Board of Examiners in

Optometry, pursuant to rules promulgated under the Administrative Procedures Act.

B. The practice of optometry shall also include the prescribing of dangerous drugs and controlled dangerous substances for all schedules specified in the Uniform Controlled Dangerous Substances Act except Schedules I and II but allowing for the prescribing of hydrocodone or hydrocodone-containing drugs regardless of schedule for a period not exceeding five (5) days of supply, and the issuance of refills for such prescriptions following sufficient physical examination of the patient for the purpose of diagnosis and treatment of ocular abnormalities. The practice of optometry shall ~~not~~ include the dispensing of drugs ~~but~~ and may include the dispensing of professional samples to patients.

C. The scope of the delivery of care as defined in subsections A and B of this section to an individual who is physically located in this state at the time care is delivered shall constitute the practice of optometry.

D. Optometrists shall be certified by the Board of Examiners in Optometry prior to administering drugs, prescribing drugs, or performing laser or nonlaser surgery procedures.

E. Nothing in this title shall be construed as allowing any agency, board, or other entity of this state other than the Board of Examiners in Optometry to determine what constitutes the practice of optometry.

SECTION 2. This act shall become effective November 1, 2020.

Passed the House of Representatives the 4th day of March, 2020.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 13th day of May, 2020.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_