

45:12-9.13

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2004 **CHAPTER:** 115

NJSA: 45:12-9.13 (Revises law on optometrists)

BILL NO: A2825 (Substituted for S1590)

SPONSOR(S): Malone and others

DATE INTRODUCED: May 17, 2004

COMMITTEE: **ASSEMBLY:** Consumer Affairs
SENATE:

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 24, 2004

SENATE: June 24, 2004

DATE OF APPROVAL: August 7, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) 2nd reprint enacted

A2825

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

S1590

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

§10 - C.45:12-9.13
§11 - T&E
§12 - Repealer
§13 - Note

P.L. 2004, CHAPTER 115, *approved August 7, 2004*
Assembly, No. 2825 (*Second Reprint*)

1 AN ACT concerning the practice of optometry ¹[, amending
2 R.S.45:12-1, and P.L.1991, c.385, supplementing chapter 12 of
3 Title 45 of the Revised Statutes and repealing section 8 of
4 P.L.1991, c.385] and revising parts of the statutory law¹.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. R.S.45:12-1 is amended to read as follows:

10 45:12-1. Optometry is hereby declared to be a profession, and the
11 practice of optometry is defined to be the employment of objective or
12 subjective means, or both, for the examination of the human eye and
13 adnexae for the purposes of ascertaining any departure from the
14 normal, measuring its powers of vision and adapting lenses or prisms
15 for the aid thereof, or the use and prescription of pharmaceutical
16 agents, [excluding controlled dangerous substances as provided in
17 sections 5, 6, 7 and 8 of P.L.1970, c.226 (C.24:21-5 through
18 C.24:21-8) and section 4 of P.L.1971, c.3 (C.24:21-8.1) and excluding
19 those prescription medications taken orally or by injection, except for
20 injections to counter anaphylactic reaction,] ²[¹including injections to
21 counter anaphylactic reaction, but] excluding injections, except for
22 injections to counter anaphylactic reaction, and² excluding controlled
23 dangerous substances as provided in sections 5 and 6 of P.L.1970,
24 c.226 (C.24:21-5 and C.24:21-6),¹ for the purposes of treating
25 deficiencies, deformities, diseases, or [anomalies] abnormalities of the
26 human eye and adnexae including the removal of superficial foreign
27 bodies from the eye and adnexae.

28 An optometrist utilizing pharmaceutical agents for the purposes of
29 treatment [purposes] of ocular conditions and diseases shall be held
30 to a standard of patient care in the use of such agents commensurate
31 to that of a physician utilizing [ocular] pharmaceutical agents for
32 treatment purposes.

33 A person shall be deemed to be practicing optometry within the
34 meaning of this chapter who in any way advertises himself as an
35 optometrist, or who shall employ any means for the measurement of
36 the powers of vision or the adaptation of lenses or prisms for the aid

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ACO committee amendments adopted May 27, 2004.

² Assembly floor amendments adopted June 21, 2004.

1 thereof, practice, offer or attempt to practice optometry as herein
2 defined, either on his own behalf or as an employee or student of
3 another, whether under the personal supervision of his employer or
4 perceptor or not, or to use testing appliances for the purposes of
5 measurement of the powers of vision or diagnose any ocular deficiency
6 or deformity, visual or muscular anomaly of the human eye and
7 adnexae or prescribe lenses, prisms or ocular exercise for the
8 correction or the relief thereof, or who uses or prescribes
9 pharmaceutical agents for the purposes of diagnosing and treating
10 deficiencies, deformities, diseases or [anomalies] abnormalities of the
11 human eye and adnexae or who holds himself out as qualified to
12 practice optometry.

13 (cf: P.L.1991, c.385, s.2)

14

15 2. Section 6 of P.L.1991, c.385 (C.45:12-9.8) is amended to read
16 as follows:

17 6. a. The New Jersey State Board of Optometrists shall [prescribe
18 the application form, procedure and fees for] establish a
19 comprehensive credentialing and certification process for optometrists
20 to receive certification [for] in the use and prescription of
21 pharmaceutical agents [for treatment purposes] in the practice of
22 optometry and promulgate the rules and regulations necessary to
23 effectuate the purposes of [this amendatory and supplementary act]
24 P.L.1991, c. 385 (C.45:12-9.8 et seq.).

25 b. The comprehensive credentialing and certification process
26 established in accordance with subsection a. of this section shall
27 include courses offered by a school that is accredited by the United
28 States Department of Education and the Council on Postsecondary
29 Accreditation.

30 (cf: P.L.1991, c.385, s.6)

31

32 3. Section 7 of P.L.1991, c.385 (C.45:12-9.9) is amended to read
33 as follows:

34 7. The New Jersey State Board of Optometrists shall establish the
35 [testing] credentialing requirements which shall be fulfilled before a
36 person may be certified to use or prescribe pharmaceutical agents for
37 treatment purposes in the practice of optometry. In addition, the
38 board shall establish continuing education requirements for the
39 renewal of certification for the use and prescription of pharmaceutical
40 agents for treatment purposes in the practice of optometry. No
41 licensee shall be tested by the board for certification to use or
42 prescribe pharmaceutical agents for treatment purposes in the practice
43 of optometry before having first satisfactorily completed all
44 educational requirements in ocular pharmacology at a school duly
45 accredited by the United States Department of Education and the
46 Council on Postsecondary Accreditation. These educational standards

1 shall be no less than that required of currently enrolled students as part
2 of their requirements for graduation from that school. This
3 credentialing and certification process shall be required of all persons
4 seeking to utilize pharmaceutical agents for treatment purposes in the
5 practice of optometry regardless of licensure either prior or
6 subsequent to the effective date of [this amendatory and
7 supplementary act] P.L.1991, c.385 (C.45:12-9.8 et seq.); except that
8 licensees shall be immediately certified at their current level of practice
9 and those licensees currently certified to use and prescribe
10 pharmaceutical agents for treatment purposes pursuant to P.L.1991,
11 c.385 (C.45:12-9.8 et seq.) shall be immediately credentialed and
12 certified to use and prescribe those pharmaceutical agents authorized
13 by that act for treatment purposes in the practice of optometry¹ but
14 not orally² [or by injection]² until certified, except for injections to
15 counter anaphylactic reactions¹ .

16 The board shall maintain a list of all approved credentialing courses,
17 which list shall be made available upon request to licensees or other
18 interested persons. Upon receipt of verification of satisfactory
19 completion of an approved credentialing course of study, the board
20 shall certify the optometrist applicant as certified in the use and
21 prescription of those pharmaceutical agents.

22 (cf: P.L.1991, c.385, s.7)

23

24 ^{14.} The title of P.L.2003, c.96 is amended to read as follows:

25 **AN ACT** concerning the dissemination of certain information about
26 physicians [and] , podiatrists and optometrists to the public,
27 amending P.L.1983, c.248 and P.L.1989, c.300 and
28 supplementing Title 45 of the Revised Statutes.¹

29 (cf: P.L.2003, c.96, Title)

30

31 ^{15.} Section 2 of P.L.2003, c.96 (C.45:9-22.22) is amended to read
32 as follows:

33 2. a. The Division of Consumer Affairs in the Department of Law
34 and Public Safety, in consultation with the State Board of Medical
35 Examiners and the New Jersey State Board of Optometrists, shall
36 collect and maintain information concerning all physicians [and],
37 podiatrists and optometrists, respectively, licensed in the State for the
38 purpose of creating a profile of each physician [and], podiatrist and
39 optometrist pursuant to this act. The profiles shall be made available
40 to the public through electronic and other appropriate means, at no
41 charge to the public. The division shall establish a toll-free telephone
42 number for members of the public to contact the division to obtain a
43 paper copy of a physician [or], podiatrist or optometrist profile and
44 to make other inquiries about the profiles.

45 b. A physician [or], podiatrist or optometrist shall be required to
46 provide the appropriate board or division or its designated agent with

1 any information necessary to complete the profile as provided in
2 section 3 of this act.

3 c. ~~[The] Either~~ board may request any additional information it
4 deems necessary to complete the profiles on the biennial license
5 renewal form submitted by physicians ~~[and]~~, podiatrists and
6 optometrists, as applicable.

7 d. The appropriate board shall provide to the division or its
8 designated agent any information required pursuant to this act that is
9 available to the board concerning a physician ~~[or]~~, podiatrist or
10 optometrist, for the purpose of creating the physician ~~[and]~~, podiatrist
11 and optometrist profiles.¹

12 (cf: P.L.2003, c.96, s.2)

13

14 ¹6. Section 3 of P.L.2003, c.96 (C.45:9-22.23) is amended to read
15 as follows:

16 3. a. The following information shall be included for each profile
17 of a physician ~~[or]~~, podiatrist or optometrist, as applicable:

18 (1) Name of all medical or optometry schools attended and dates of
19 graduation;

20 (2) Graduate medical or optometry education, including all
21 internships, residencies and fellowships;

22 (3) Year first licensed;

23 (4) Year first licensed in New Jersey;

24 (5) Location of the physician's ~~[or]~~, podiatrist's or optometrist's
25 office practice site or sites, as applicable;

26 (6) A description of any criminal convictions for crimes of the first,
27 second, third or fourth degree within the most recent 10 years. For
28 the purposes of this paragraph, a person shall be deemed to be
29 convicted of a crime if the individual pleaded guilty or was found or
30 adjudged guilty by a court of competent jurisdiction. The description
31 of criminal convictions shall not include any convictions that have been
32 expunged. The following statement shall be included with the
33 information about criminal convictions: "Information provided in this
34 section may not be comprehensive. Courts in New Jersey are required
35 by law to provide information about criminal convictions to the State
36 Board of Medical Examiners (or the New Jersey State Board of
37 Optometrists).";

38 (7) A description of any final board disciplinary actions within the
39 most recent 10 years, except that any such disciplinary action that is
40 being appealed shall be identified;

41 (8) A description of any final disciplinary actions by appropriate
42 licensing boards in other states within the most recent 10 years, except
43 that any such disciplinary action that is being appealed shall be
44 identified. The following statement shall be included with the
45 information about disciplinary actions in other states: "Information
46 provided in this section may not be comprehensive. The State Board

1 of Medical Examiners (or the New Jersey State Board of
2 Optometrists) receives information about disciplinary actions in other
3 states from physicians (or optometrists) themselves and outside
4 sources.";

5 (9) [A] In the case of physicians and podiatrists, a description of:
6 the revocation or involuntary restriction of privileges at a health care
7 facility for reasons related to the practitioner's competence or
8 misconduct or impairment taken by a health care facility's governing
9 body or any other official of the health care facility after procedural
10 due process has been afforded; the resignation from or nonrenewal of
11 medical staff membership at the health care facility for reasons related
12 to the practitioner's competence or misconduct or impairment; or the
13 restriction of privileges at a health care facility taken in lieu of or in
14 settlement of a pending disciplinary case related to the practitioner's
15 competence or misconduct or impairment. Only those cases that have
16 occurred within the most recent 10 years and that were reported by the
17 health care facility pursuant to section 1 of P.L.1983, c.247
18 (C.26:2H-12.2) shall be included in the profile; and

19 (10) All medical malpractice court judgments and all medical
20 malpractice arbitration awards reported to the applicable board, in
21 which a payment has been awarded to the complaining party during the
22 most recent five years, and all settlements of medical malpractice
23 claims reported to the board, in which a payment is made to the
24 complaining party within the most recent five years, as follows:

25 (a) Pending medical malpractice claims shall not be included in the
26 profile and information on pending medical malpractice claims shall
27 not be disclosed to the public;

28 (b) A medical malpractice judgment that is being appealed shall be
29 so identified;

30 (c) The context in which the payment of a medical malpractice
31 claim occurs shall be identified by categorizing the number of
32 judgments, arbitration awards and settlements against the physician
33 [or], podiatrist or optometrist into three graduated categories:
34 average, above average and below average number of judgments,
35 arbitration awards and settlements. These groupings shall be arrived
36 at by comparing the number of an individual physician's [or],
37 podiatrist's or ²[optometrists] optometrist's medical malpractice
38 judgments, arbitration awards and settlements to the experience of
39 other physicians [or], podiatrists or optometrists within the same
40 speciality. In addition to any information provided by a physician
41 [or], podiatrist or optometrist, an insurer or insurance association
42 authorized to issue medical malpractice liability insurance in the State
43 shall, at the request of the division, provide data and information
44 necessary to effectuate this subparagraph; and

45 (d) The following statement shall be included with the information
46 concerning medical malpractice judgments, arbitration awards and

1 settlements: "Settlement of a claim and, in particular, the dollar
2 amount of the settlement may occur for a variety of reasons, which do
3 not necessarily reflect negatively on the professional competence or
4 conduct of the physician (or podiatrist or optometrist). A payment in
5 settlement of a medical malpractice action or claim should not be
6 construed as creating a presumption that medical malpractice has
7 occurred."

8 b. If requested by a physician [or], podiatrist or optometrist, the
9 following information shall be included in a physician's [or],
10 podiatrist's or optometrist's profile:

11 (1) Names of the hospitals where the physician [or], podiatrist or
12 optometrist has privileges;

13 (2) Appointments of the physician or podiatrist to medical school
14 faculties, or the optometrist to optometry school faculties, within the
15 most recent 10 years;

16 (3) Information regarding any board certification granted by a
17 specialty board or other certifying entity recognized by the American
18 Board of Medical Specialties, the American Osteopathic Association
19 or the American Board of Podiatric Medicine or by any other national
20 professional organization that has been demonstrated to have
21 comparable standards;

22 (4) Information regarding any translating services that may be
23 available at the physician's [or], podiatrist's or optometrist's office
24 practice site or sites, as applicable, or languages other than English
25 that are spoken by the physician [or], podiatrist or optometrist;

26 (5) Information regarding whether the physician [or], podiatrist or
27 optometrist participates in the Medicaid program or accepts
28 assignment under the Medicare program;

29 (6) Information regarding the medical insurance plans in which the
30 physician [or], podiatrist or optometrist is a participating provider;

31 (7) Information concerning the hours during which the physician
32 [or], podiatrist or optometrist conducts his practice; and

33 (8) Information concerning accessibility of the practice site or sites,
34 as applicable, to persons with disabilities.

35 The following disclaimer shall be included with the information
36 supplied by the physician [or], podiatrist or optometrist pursuant to
37 this subsection: "This information has been provided by the physician
38 (or podiatrist or optometrist) but has not been independently verified
39 by the State Board of Medical Examiners (or the New ²[jersey]
40 Jersey² State Board of Optometrists) or the Division of Consumer
41 Affairs."

42 If the physician [or], podiatrist or optometrist includes information
43 regarding medical insurance plans in which the practitioner is a
44 participating provider, the following disclaimer shall be included with
45 that information: "This information may be subject to change. Contact

1 your health benefits plan to verify if the physician (or podiatrist or
2 optometrist) currently participates in the plan."

3 c. Before a profile is made available to the public, each physician
4 [or], podiatrist or optometrist shall be provided with a copy of his
5 profile. The physician [or], podiatrist or optometrist shall be given 30
6 calendar days to correct a factual inaccuracy that may appear in the
7 profile and so advise the Division of Consumer Affairs or its
8 designated agent; however, upon receipt of a written request that the
9 division or its designated agent deems reasonable, the physician [or],
10 podiatrist or optometrist may be granted an extension of up to 15
11 calendar days to correct a factual inaccuracy and so advise the division
12 or its designated agent.

13 d. If new information or a change in existing information is
14 received by the division concerning a physician [or], podiatrist or
15 optometrist, the physician [or], podiatrist or optometrist shall be
16 provided with a copy of the proposed revision and shall be given 30
17 calendar days to correct a factual inaccuracy and to return the
18 corrected information to the division or its designated agent.

19 e. The profile and any revisions thereto shall not be made available
20 to the public until after the review period provided for in this section
21 has lapsed.¹

22 (cf: P.L.2003, c.96, s.3)

23

24 ¹⁷. Section 4 of P.L.2003, c.96 (C.45:9-22.24) is amended to read
25 as follows:

26 4. The Division of Consumer Affairs may contract with a public or
27 private entity for the purpose of developing, administering and
28 maintaining the physician [and], podiatrist and optometrist profiles
29 required pursuant to this act.

30 a. The contract shall specify the duties and responsibilities of the
31 entity with respect to the development, administration and
32 maintenance of the profile. The contract shall specify the duties and
33 responsibilities of the division with respect to providing the
34 information required pursuant to section 3 of this act to the entity on
35 a regular and timely basis.

36 b. The contract shall specify that any identifying information
37 concerning a physician [or], podiatrist or optometrist provided to the
38 entity by the division, the State Board of Medical Examiners, or the
39 New Jersey State Board of Optometrists or the optometrist,
40 respectively, or the physician or podiatrist shall be used only for the
41 purpose of the profile.

42 c. The division shall monitor the work of the entity to ensure that
43 physician [and], podiatrist and optometrist profiles are properly
44 developed and maintained pursuant to the requirements of this act.¹

45 (cf: P.L.2003, c.96, s.4)

1 ¹8. Section 5 of P.L.2003, c.96 is amended to read as follows:

2 5. The Director of the Division of Consumer Affairs shall report to
3 the Legislature no later than 18 months after the effective date of this
4 act on the status of the physician and podiatrist profiles, and no later
5 than 180 days after the effective date of P.L. , c. (C.) (now
6 pending before the Legislature as this bill) on the status of the
7 optometrist profiles.

8 The director shall also make recommendations in the report on the
9 issue of developing profiles for other licensed health care
10 professionals, including, but not limited to, dentists, advanced practice
11 nurses, physician assistants, [optometrists,] physical therapists and
12 chiropractors, and the type of information that would be appropriate
13 to include in the respective profiles for each type of licensed health
14 care professional.¹

15 (cf: P.L.2003, c.96, s.5)

16

17 ¹9. Section 8 of P.L.2003, c.96 (C.45:9-22.25) is amended to read
18 as follows:

19 8. Within 180 days of the effective date of this act, the Director of
20 the Division of Consumer Affairs in the Department of Law and Public
21 Safety, in consultation with the State Board of Medical Examiners and
22 the New Jersey State Board of Optometrists, shall adopt regulations
23 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
24 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this act.¹
25 (cf: P.L.2003, c.96, s.8)

26

27 ¹[4] 10¹. (New section) ¹[There shall be created an advisory panel
28 of experts in ocular pharmacology to advise the New Jersey State
29 Board of Optometrists on the appropriateness of credentialing
30 requirements as proposed by the board and to assist in developing
31 those requirements for all newly approved pharmaceutical agents
32 adopted by the board. The advisory panel shall be comprised of: the
33 President of the University of Medicine and Dentistry of New Jersey,
34 or his designee; the President of the State Board of Medical
35 Examiners, or his designee; and the President of the Board of
36 Pharmacy, or his designee. Advisory panel members shall be
37 appointed by their respective boards within 90 days of enactment of
38 this section and the panel shall function for two years following the
39 appointment of its members. If advisory panel members are not
40 appointed, the board shall proceed to establish credentialing
41 requirements.] No licensee shall be certified by the New Jersey State
42 Board of Optometrists to use or prescribe pharmaceutical agents in the
43 practice of optometry before having completed credentialing
44 requirements in ocular pharmacology approved and administered by
45 the New Jersey State Board of ²[Optometry] Optometrists² . Until
46 such time as a majority of the optometrist members of the New Jersey

1 State Board of ²[Optometry] Optometrists² are certified to use and
2 prescribe pharmaceutical agents for treatment purposes in the practice
3 of optometry, an interim four member panel of experts in ocular
4 pharmacology shall be established to prepare or endorse credentialing
5 requirements for board approval. The interim advisory panel of
6 experts in ocular pharmacology shall be comprised of a physician
7 selected by the State Board of Medical Examiners, a member selected
8 by the Board of Pharmacy, a representative of a school of optometry
9 duly accredited by the United States Department of Education and the
10 Council on Postsecondary Accreditation, to be selected by the New
11 Jersey State Board of Optometrists, and the Commissioner of the
12 Department of Health and Senior Services or his designee. The
13 interim panel shall be selected by the respective boards within 90 days
14 of the effective date of this amendatory and supplementary act. Panel
15 members shall be directly responsible to the Director of the Division
16 of Consumer Affairs, who may order the replacement of any panel
17 member for failure to promptly and equitably fulfill their duties. The
18 panel shall have 120 days following appointment of a majority of the
19 panel to submit to the New Jersey State Board of Optometrists
20 credentialing requirements in ocular pharmacology. Should the panel
21 fail within the 120 day period to submit credentialing requirements to
22 the New Jersey State Board of Optometrists, the Director of the
23 Division of Consumer Affairs shall designate, within 90 days
24 thereafter, the credentialing requirements for the interim period.
25 Should the Director of the Division of Consumer Affairs fail to
26 designate credentialing requirements within the 90 day period, the
27 credentialing requirements shall be designated by the New Jersey State
28 Board of Optometrists.¹

29

30 ¹[5.] 11.¹ (New section) The New Jersey State Board of
31 Optometrists shall report to the Governor and the Legislature on the
32 progress made in implementing the provisions of this act no later than
33 three years after its enactment.

34

35 ¹[6.] 12.¹ Section 8 of P.L.1991, c.385 (C.45:12-9.10) is repealed.

36

37 ¹[7.] 13.¹ This act shall take effect immediately, except that
38 sections 1, 3, and ¹[6] 12¹ shall take effect one year after the date of
39 enactment.

40

41

42

43

44 _____
Revises scope of practice of optometrists.

ASSEMBLY, No. 2825

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 17, 2004

Sponsored by:

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

Assemblyman PATRICK DIEGNAN, JR.

District 18 (Middlesex)

Assemblyman FRANCIS J. BLEE

District 2 (Atlantic)

Co-Sponsored by:

Assemblymen Dancer, Chiappone, Stanley, Assemblywoman Pou,

Assemblymen Wisniewski, Burzichelli, Assemblywoman Vandervalk,

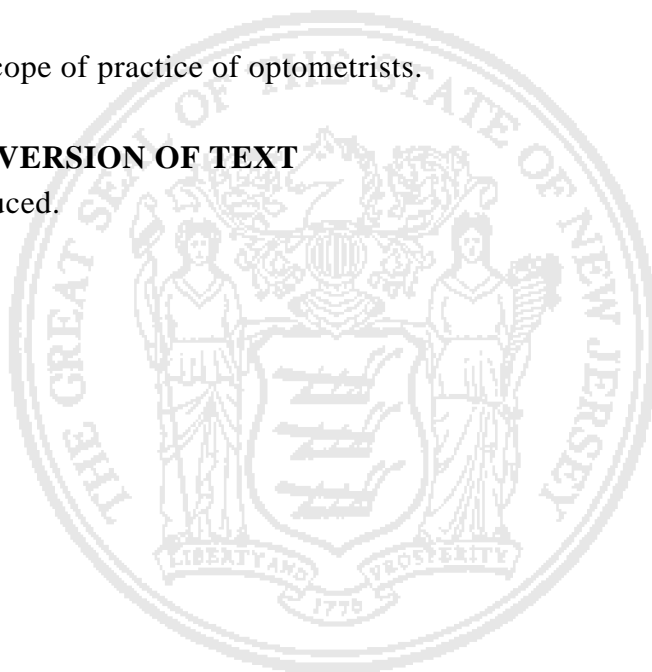
Assemblymen S.Kean, Barnes and Chivukula

SYNOPSIS

Revises scope of practice of optometrists.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the practice of optometry, amending R.S.45:12-1,
2 and P.L.1991, c.385, supplementing chapter 12 of Title 45 of the
3 Revised Statutes and repealing section 8 of P.L.1991, c.385.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.45:12-1 is amended to read as follows:

9 45:12-1. Optometry is hereby declared to be a profession, and the
10 practice of optometry is defined to be the employment of objective or
11 subjective means, or both, for the examination of the human eye and
12 adnexae for the purposes of ascertaining any departure from the
13 normal, measuring its powers of vision and adapting lenses or prisms
14 for the aid thereof, or the use and prescription of pharmaceutical
15 agents, [excluding controlled dangerous substances as provided in
16 sections 5, 6, 7 and 8 of P.L.1970, c.226 (C.24:21-5 through
17 C.24:21-8) and section 4 of P.L.1971, c.3 (C.24:21-8.1) and excluding
18 those prescription medications taken orally or by injection, except for
19 injections to counter anaphylactic reaction,] for the purposes of
20 treating deficiencies, deformities, diseases, or [anomalies]
21 abnormalities of the human eye and adnexae including the removal of
22 superficial foreign bodies from the eye and adnexae.

23 An optometrist utilizing pharmaceutical agents for the purposes of
24 treatment [purposes] of ocular conditions and diseases shall be held
25 to a standard of patient care in the use of such agents commensurate
26 to that of a physician utilizing [ocular] pharmaceutical agents for
27 treatment purposes.

28 A person shall be deemed to be practicing optometry within the
29 meaning of this chapter who in any way advertises himself as an
30 optometrist, or who shall employ any means for the measurement of
31 the powers of vision or the adaptation of lenses or prisms for the aid
32 thereof, practice, offer or attempt to practice optometry as herein
33 defined, either on his own behalf or as an employee or student of
34 another, whether under the personal supervision of his employer or
35 perceptor or not, or to use testing appliances for the purposes of
36 measurement of the powers of vision or diagnose any ocular deficiency
37 or deformity, visual or muscular anomaly of the human eye and
38 adnexae or prescribe lenses, prisms or ocular exercise for the
39 correction or the relief thereof, or who uses or prescribes
40 pharmaceutical agents for the purposes of diagnosing and treating
41 deficiencies, deformities, diseases or [anomalies] abnormalities of the
42 human eye and adnexae or who holds himself out as qualified to

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 practice optometry.
2 (cf: P.L.1991, c.385, s.2)

3
4 2. Section 6 of P.L.1991, c.385 (C.45:12-9.8) is amended to read
5 as follows:

6 6. a. The New Jersey State Board of Optometrists shall [prescribe
7 the application form, procedure and fees for] establish a
8 comprehensive credentialing and certification process for optometrists
9 to receive certification [for] in the use and prescription of
10 pharmaceutical agents [for treatment purposes] in the practice of
11 optometry and promulgate the rules and regulations necessary to
12 effectuate the purposes of [this amendatory and supplementary act]
13 P.L.1991, c. 385 (C.45:12-9.8 et seq.).

14 b. The comprehensive credentialing and certification process
15 established in accordance with subsection a. of this section shall
16 include courses offered by a school that is accredited by the United
17 States Department of Education and the Council on Postsecondary
18 Accreditation.

19 (cf: P.L.1991, c.385, s.6)

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21 3. Section 7 of P.L.1991, c.385 (C.45:12-9.9) is amended to read
22 as follows:

23 7. The New Jersey State Board of Optometrists shall establish the
24 [testing] credentialing requirements which shall be fulfilled before a
25 person may be certified to use or prescribe pharmaceutical agents for
26 treatment purposes in the practice of optometry. In addition, the
27 board shall establish continuing education requirements for the
28 renewal of certification for the use and prescription of pharmaceutical
29 agents for treatment purposes in the practice of optometry. No
30 licensee shall be tested by the board for certification to use or
31 prescribe pharmaceutical agents for treatment purposes in the practice
32 of optometry before having first satisfactorily completed all
33 educational requirements in ocular pharmacology at a school duly
34 accredited by the United States Department of Education and the
35 Council on Postsecondary Accreditation. These educational standards
36 shall be no less than that required of currently enrolled students as part
37 of their requirements for graduation from that school. This
38 credentialing and certification process shall be required of all persons
39 seeking to utilize pharmaceutical agents for treatment purposes in the
40 practice of optometry regardless of licensure either prior or
41 subsequent to the effective date of [this amendatory and
42 supplementary act] P.L.1991, c.385 (C.45:12-9.8 et seq.); except that
43 licensees shall be immediately certified at their current level of practice
44 and those licensees currently certified to use and prescribe
45 pharmaceutical agents for treatment purposes pursuant to P.L.1991,
46 c.385 (C.45:12-9.8 et seq.) shall be immediately credentialed and

1 certified to use and prescribe those pharmaceutical agents authorized
2 by that act for treatment purposes in the practice of optometry.

3 The board shall maintain a list of all approved credentialing courses,
4 which list shall be made available upon request to licensees or other
5 interested persons. Upon receipt of verification of satisfactory
6 completion of an approved credentialing course of study, the board
7 shall certify the optometrist applicant as certified in the use and
8 prescription of those pharmaceutical agents.

9 (cf: P.L.1991, c.385, s.7)

10
11 4. (New section) There shall be created an advisory panel of
12 experts in ocular pharmacology to advise the New Jersey State Board
13 of Optometrists on the appropriateness of credentialing requirements
14 as proposed by the board and to assist in developing those
15 requirements for all newly approved pharmaceutical agents adopted by
16 the board. The advisory panel shall be comprised of: the President of
17 the University of Medicine and Dentistry of New Jersey, or his
18 designee; the President of the State Board of Medical Examiners, or
19 his designee; and the President of the Board of Pharmacy, or his
20 designee. Advisory panel members shall be appointed by their
21 respective boards within 90 days of enactment of this section and the
22 panel shall function for two years following the appointment of its
23 members. If advisory panel members are not appointed, the board
24 shall proceed to establish credentialing requirements.

25
26 5. (New section) The New Jersey State Board of Optometrists
27 shall report to the Governor and the Legislature on the progress made
28 in implementing the provisions of this act no later than three years
29 after its enactment.

30
31 6. Section 8 of P.L.1991, c.385 (C.45:12-9.10) is repealed.

32
33 7. This act shall take effect immediately, except that sections 1, 3,
34 and 6 shall take effect one year after the date of enactment.

35
36
37 STATEMENT

38
39 This bill amends the optometry practice statutes to revise the scope
40 of practice of optometrists and authorize the New Jersey State Board
41 of Optometrists to establish a credentialing and certification process
42 for optometrists to be certified in the use and prescription of
43 pharmaceutical agents.

44 The bill defines the practice of optometry to be the employment of
45 objective or subjective means, or both, for the examination of the
46 human eye and adnexae for the purposes of ascertaining any departure

1 from the normal, measuring its powers of vision and adapting lenses
2 or prisms for the aid thereof, and the use and prescription of
3 pharmaceutical agents for the purposes of treating deficiencies,
4 deformities, diseases, or abnormalities of the human eye and adnexae.
5 Also, the bill removes the current statutory prohibition for
6 optometrists to use and prescribe controlled dangerous substances or
7 prescription medications taken orally or by injection.

8 In addition, the bill directs the board to establish a credentialing and
9 certification process for optometrists to be certified in the use and
10 prescription of pharmaceutical agents and the delivery of care in the
11 practice of optometry. This bill specifically provides that licensees
12 shall be immediately certified at their current level of practice and
13 those licensees currently certified to use and prescribe those
14 pharmaceutical agents authorized by P.L.1991, c.385 (C.45:12-9.8 et
15 seq.), shall be immediately credentialed and certified to use and
16 prescribe those pharmaceutical agents for treatment purposes in the
17 practice of optometry.

18 Another provision of the bill establishes an advisory panel of
19 experts in ocular pharmacology, who shall advise the board for a
20 period of two years, on the appropriateness of credentialing
21 requirements and to assist in developing those requirements for newly
22 approved pharmaceutical agents adopted by the board. The advisory
23 panel shall consist of: the President of the University of Medicine and
24 Dentistry of New Jersey, or his designee; the President of the State
25 Board of Medical Examiners, or his designee; and the President of the
26 Board of Pharmacy, or his designee.

27 The bill also requires the board to report to the Governor and the
28 Legislature on the progress made in implementing the provisions of the
29 bill no later than three years after its enactment.

30 Further, the bill repeals section 8 of P.L.1991, c.385 (C.45:12-
31 9.10), concerning certification of optometrists to use and prescribe
32 pharmaceutical agents, as the objectives of that section of law are
33 revised in this bill.

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2825

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 27, 2004

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2825.

As amended, this bill would amend the optometry practice act, R.S.45:12-1 et seq., by revising the scope of practice of optometrists and establishing a credentialing and certification process for optometrists to be certified in the use and prescription of certain pharmaceutical agents.

The bill would define the practice of optometry to be the employment of objective or subjective means, or both, for the examination of the human eye and adnexae for the purposes of ascertaining any departure from the normal, measuring its powers of vision and adapting lenses or prisms for the aid thereof, and the use and prescription of pharmaceutical agents, excluding controlled dangerous substances as provided in sections 5 and 6 of P.L.1970, c.226 (C.24:21-5 and 24:21-6) (Schedules I and II), for the purposes of treating deficiencies, deformities, diseases, or abnormalities of the human eye and adnexae. At the same time, the bill would remove the current statutory prohibition for optometrists to use and prescribe controlled dangerous substances in Schedules III, IV and V or prescription medications taken orally or by injection. The bill would also preserve the authority of optometrists to administer and prescribe injections to counter anaphylactic reaction.

In addition, the bill would direct the board to establish a credentialing and certification process for optometrists to be certified in the use and prescription of pharmaceutical agents and the delivery of care in the practice of optometry. This bill would specifically provide that licensees shall be immediately certified at their current level of practice and those licensees currently certified to use and prescribe those pharmaceutical agents authorized by P.L.1991, c.385 (C.45:12-9.8 et seq.), shall be immediately credentialed and certified to use and prescribe those pharmaceutical agents authorized by P.L.1991, c.385 for treatment purposes in the practice of optometry, but not orally or by injection until so certified, except for injections to counter anaphylactic reactions.

Another provision of the bill would require licensees to complete a credentialing process in ocular pharmacology, approved and administered by the New Jersey State Board of Optometry, prior to being certified to use or prescribe pharmaceutical agents in the practice of optometry beyond their current level of practice and authorization. Until the majority of optometrist members of the board are certified, the bill would establish an interim four member panel of experts to prepare or endorse a credentialing process for board approval. The bill would also provide alternate plans if the interim panel is unsuccessful.

The bill would also require the board to report to the Governor and the Legislature on the progress made in implementing the provisions of the bill no later than three years after its enactment. Further, the bill would repeal section 8 of P.L.1991, c.385 (C.45:12-9.10), concerning certification of optometrists to use and prescribe pharmaceutical agents, as the objectives of that section of law are revised in this bill.

The bill would also subject optometrists to the provisions of the "New Jersey Health Care Consumer Information Act," P.L.2003, c.96 (C.45:9-22.21 et seq.), which requires the collection and maintenance of information by the Division of Consumer Affairs for the purpose of creating a profile on each physician, podiatrist and, under this bill, optometrist, which will be available to the public.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- (1) Limit the controlled dangerous substances which an optometrist may prescribe to those in Schedule III, IV and V;
- (2) Subject optometrists to the provisions of the "New Jersey Health Care Consumer Information Act;"
- (3) Emphasize that optometrists currently certified to use and prescribe pharmaceutical agents shall not prescribe pharmaceutical agents for oral use or injection until so certified;
- (4) Require licensees to pass an examination in ocular pharmacology, approved and administered by the New Jersey State Board of Optometry, prior to being certified to use or prescribe pharmaceutical agents in the practice of optometry beyond their current level of practice and authorization; and
- (5) Replace the advisory panel of experts in ocular pharmacology with an interim four member panel of experts to prepare or endorse a certification examination for board approval.

A second amendment was made to the bill to replace references to examination in section 4 of the bill with references to credentialing requirements.

The bill as amended is not intended to expand the scope of practice of optometrists with respect to the performance of surgery, the use of anesthesia, or botox injections.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2825

with Assembly Floor Amendments
(Proposed By Assemblyman MALONE)

ADOPTED: JUNE 21, 2004

The purpose of this bill is to revise the scope of practice of optometrists by establishing a credentialing and certification process for optometrists to use and prescribe certain pharmaceutical agents.

These amendments would limit optometrists' ability to administer injections to those used to counter anaphylactic reactions. These floor amendments also make technical changes to the bill. It is the sponsor's understanding that these amendments would make this bill identical to Senate Bill 1590 [1R], pending amendment.

SENATE, No. 1590

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED MAY 10, 2004

Sponsored by:

Senator PAUL SARLO

District 36 (Bergen, Essex and Passaic)

Senator GERALD CARDINALE

District 39 (Bergen)

Co-Sponsored by:

Senators Lesniak, Singer and Allen

SYNOPSIS

Revises scope of practice of optometrists.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the practice of optometry, amending R.S.45:12-1,
2 and P.L.1991, c.385, supplementing chapter 12 of Title 45 of the
3 Revised Statutes and repealing section 8 of P.L.1991, c.385.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. R.S.45:12-1 is amended to read as follows:

9 45:12-1. Optometry is hereby declared to be a profession, and the
10 practice of optometry is defined to be the employment of objective or
11 subjective means, or both, for the examination of the human eye and
12 adnexae for the purposes of ascertaining any departure from the
13 normal, measuring its powers of vision and adapting lenses or prisms
14 for the aid thereof, or the use and prescription of pharmaceutical
15 agents, [excluding controlled dangerous substances as provided in
16 sections 5, 6, 7 and 8 of P.L.1970, c.226 (C.24:21-5 through
17 C.24:21-8) and section 4 of P.L.1971, c.3 (C.24:21-8.1) and excluding
18 those prescription medications taken orally or by injection, except for
19 injections to counter anaphylactic reaction,] for the purposes of
20 treating deficiencies, deformities, diseases, or [anomalies]
21 abnormalities of the human eye and adnexae, including the removal of
22 superficial foreign bodies from the eye and adnexae.

23 An optometrist utilizing pharmaceutical agents for the purposes of
24 treatment [purposes] of ocular conditions and diseases shall be held
25 to a standard of patient care in the use of such agents commensurate
26 to that of a physician utilizing [ocular] pharmaceutical agents for
27 treatment purposes.

28 A person shall be deemed to be practicing optometry within the
29 meaning of this chapter who in any way advertises himself as an
30 optometrist, or who shall employ any means for the measurement of
31 the powers of vision or the adaptation of lenses or prisms for the aid
32 thereof, practice, offer or attempt to practice optometry as herein
33 defined, either on his own behalf or as an employee or student of
34 another, whether under the personal supervision of his employer or
35 perceptor or not, or to use testing appliances for the purposes of
36 measurement of the powers of vision or diagnose any ocular deficiency
37 or deformity, visual or muscular anomaly of the human eye and
38 adnexae or prescribe lenses, prisms or ocular exercise for the
39 correction or the relief thereof, or who uses or prescribes
40 pharmaceutical agents for the purposes of diagnosing and treating
41 deficiencies, deformities, diseases or [anomalies] abnormalities of the
42 human eye and adnexae or who holds himself out as qualified to

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 practice optometry.
2 (cf: P.L.1991, c.385, s.2)

3
4 2. Section 6 of P.L.1991, c.385 (C.45:12-9.8) is amended to read
5 as follows:

6 6. a. The New Jersey State Board of Optometrists shall [prescribe
7 the application form, procedure and fees for] establish a
8 comprehensive credentialing and certification process for optometrists
9 to receive certification [for] in the use and prescription of
10 pharmaceutical agents [for treatment purposes] in the practice of
11 optometry and promulgate the rules and regulations necessary to
12 effectuate the purposes of [this amendatory and supplementary act]
13 P.L.1991, c.385 (C.45:12-9.8 et seq.).

14 b. The comprehensive credentialing and certification process
15 established in accordance with subsection a. of this section shall
16 include courses offered by a school that is accredited by the United
17 States Department of Education and the Council on Postsecondary
18 Accreditation.

19 (cf: P.L.1991, c.385, s.6)

20
21 3. Section 7 of P.L.1991, c.385 (C.45:12-9.9) is amended to read
22 as follows:

23 7. The New Jersey State Board of Optometrists shall establish the
24 [testing] credentialing requirements which shall be fulfilled before a
25 person may be certified to use or prescribe pharmaceutical agents for
26 treatment purposes in the practice of optometry. In addition, the
27 board shall establish continuing education requirements for the
28 renewal of certification for the use and prescription of pharmaceutical
29 agents for treatment purposes in the practice of optometry. No
30 licensee shall be tested by the board for certification to use or
31 prescribe pharmaceutical agents for treatment purposes in the practice
32 of optometry before having first satisfactorily completed all
33 educational requirements in ocular pharmacology at a school duly
34 accredited by the United States Department of Education and the
35 Council on Postsecondary Accreditation. These educational standards
36 shall be no less than that required of currently enrolled students as part
37 of their requirements for graduation from that school. This
38 credentialing and certification process shall be required of all persons
39 seeking to utilize pharmaceutical agents for treatment purposes in the
40 practice of optometry regardless of licensure either prior or
41 subsequent to the effective date of [this amendatory and
42 supplementary act] P.L.1991, c.385 (C.45:12-9.8 et seq.); except that
43 licensees shall be immediately certified at their current level of practice
44 and those licensees currently certified to use and prescribe
45 pharmaceutical agents for treatment purposes pursuant to P.L.1991,
46 c.385 (C.45:12-9.8 et seq.) shall be immediately credentialed and

1 certified to use and prescribe those pharmaceutical agents authorized
2 by that act for treatment purposes in the practice of optometry.

3 The board shall maintain a list of all approved credentialing courses,
4 which list shall be made available upon request to licensees or other
5 interested persons. Upon receipt of verification of satisfactory
6 completion of an approved credentialing course of study, the board
7 shall certify the optometrist applicant as certified in the use and
8 prescription of those pharmaceutical agents.

9 (cf: P.L.1991, c.385, s.7)

10
11 4. (New section) There is created an advisory panel of experts in
12 ocular pharmacology to advise the New Jersey State Board of
13 Optometrists on the appropriateness of credentialing requirements as
14 proposed by the board and to assist in developing those requirements
15 for all newly approved pharmaceutical agents adopted by the board.
16 The advisory panel shall be comprised of: the President of the
17 University of Medicine and Dentistry of New Jersey, or his designee;
18 the President of the State Board of Medical Examiners, or his
19 designee; and the President of the Board of Pharmacy, or his designee.
20 Advisory panel members shall be appointed by their respective boards
21 within 90 days of enactment of this section and the panel shall function
22 for two years following the appointment of its members. If advisory
23 panel members are not appointed, the board shall proceed to establish
24 credentialing requirements.

25
26 5. (New section) The New Jersey State Board of Optometrists
27 shall report to the Governor and the Legislature on the progress made
28 in implementing the provisions of this act no later than three years
29 after its enactment.

30
31 6. Section 8 of P.L.1991, c.385 (C.45:12-9.10) is repealed.

32
33 7. This act shall take effect immediately, except that sections 1, 3,
34 and 6 shall take effect one year after the date of enactment.

35
36
37 STATEMENT

38
39 This bill amends the optometry practice statutes to revise the scope
40 of practice of optometrists and authorize the New Jersey State Board
41 of Optometrists to establish a credentialing and certification process
42 for optometrists to be certified in the use and prescription of
43 pharmaceutical agents.

44 The bill defines the practice of optometry to be the employment of
45 objective or subjective means, or both, for the examination of the
46 human eye and adnexae for the purposes of ascertaining any departure

1 from the normal, measuring its powers of vision and adapting lenses
2 or prisms for the aid thereof, and the use and prescription of
3 pharmaceutical agents for the purposes of treating deficiencies,
4 deformities, diseases, or abnormalities of the human eye and adnexae.
5 Also, the bill removes the current statutory prohibition for
6 optometrists to use and prescribe controlled dangerous substances or
7 prescription medications taken orally or by injection.

8 In addition, the bill directs the board to establish a credentialing and
9 certification process for optometrists to be certified in the use and
10 prescription of pharmaceutical agents and the delivery of care in the
11 practice of optometry. This bill specifically provides that licensees
12 shall be immediately certified at their current level of practice and
13 those licensees currently certified to use and prescribe those
14 pharmaceutical agents authorized by P.L.1991, c.385 (C.45:12-9.8 et
15 seq.), shall be immediately credentialed and certified to use and
16 prescribe those pharmaceutical agents for treatment purposes in the
17 practice of optometry.

18 Another provision of the bill establishes an advisory panel of
19 experts in ocular pharmacology, who shall advise the board for a
20 period of two years, on the appropriateness of credentialing
21 requirements and to assist in developing those requirements for newly
22 approved pharmaceutical agents adopted by the board. The advisory
23 panel shall consist of: the President of the University of Medicine and
24 Dentistry of New Jersey, or his designee; the President of the State
25 Board of Medical Examiners, or his designee; and the President of the
26 Board of Pharmacy, or his designee.

27 The bill also requires the board to report to the Governor and the
28 Legislature on the progress made in implementing the provisions of the
29 bill no later than three years after its enactment.

30 Further, the bill repeals section 8 of P.L.1991, c.385 (C.45:12-
31 9.10), concerning certification of optometrists to use and prescribe
32 pharmaceutical agents, as the objectives of that section of law are
33 revised in this bill.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1590

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 17, 2004

The Senate Commerce Committee reports favorably, and with committee amendments, Senate Bill No. 1590.

As amended, this bill amends the optometry practice act, R.S.45:12-1 et seq., by revising the scope of practice of optometrists and authorizing the New Jersey State Board of Optometrists to establish a credentialing and certification process for optometrists to be certified in the use and prescription, of certain pharmaceutical agents.

The bill defines the practice of optometry to be the employment of objective or subjective means, or both, for the examination of the human eye and adnexae for the purposes of ascertaining any departure from the normal, measuring its powers of vision and adapting lenses or prisms for the aid thereof, and the use and prescription of pharmaceutical agents, excluding controlled dangerous substances as provided in sections 5 and 6 of P.L.1970, c.226 (C.24:21-5 and 24:21-6) (Schedules I and II), for the purposes of treating deficiencies, deformities, diseases, or abnormalities of the human eye and adnexae. At the same time, the bill removes the current statutory prohibition for optometrists to use and prescribe controlled dangerous substances in Schedules III, IV and V or prescription medications taken orally or by injection.

In addition, the bill directs the board to establish a credentialing and certification process for optometrists to be certified in the use and prescription of pharmaceutical agents and the delivery of care in the practice of optometry. This bill specifically provides that licensees shall be immediately certified at their current level of practice and those licensees currently certified to use and prescribe those pharmaceutical agents authorized by P.L.1991, c.385 (C.45:12-9.8 et seq.), shall be immediately credentialed and certified to use and prescribe those pharmaceutical agents authorized by P.L.1991, c.385 for treatment purposes in the practice of optometry, but not orally or by injection until so certified.

Another provision of the bill establishes an advisory panel of experts in ocular pharmacology, who shall advise the board for a period of two years, on the appropriateness of credentialing

requirements and to assist in developing those requirements for newly approved pharmaceutical agents adopted by the board. The advisory panel shall consist of: the President of the University of Medicine and Dentistry of New Jersey, or his designee; the President of the State Board of Medical Examiners, or his designee; and the President of the Board of Pharmacy, or his designee.

The bill also requires the board to report to the Governor and the Legislature on the progress made in implementing the provisions of the bill no later than three years after its enactment.

Further, the bill repeals section 8 of P.L.1991, c.385 (C.45:12-9.10), concerning certification of optometrists to use and prescribe pharmaceutical agents, as the objectives of that section of law are revised in this bill.

The bill also subjects optometrists to the provisions of the "New Jersey Health Care Consumer Information Act," P.L.2003, c.96 (C.45:9-22.21 et seq.), which requires the collection and maintenance of information by the Division of Consumer Affairs for the purpose of creating a profile on each physician, podiatrist and, under this bill, optometrist, which will be available to the public.

The committee amended the bill to limit the controlled dangerous substances which an optometrist may prescribe to those in Schedule III, IV and V and to subject optometrists to the provisions of the "New Jersey Health Care Consumer Information Act." The amendments made by the committee also emphasize that optometrists currently certified to use and prescribe pharmaceutical agents shall not prescribe pharmaceutical agents for oral use or injection until so certified.

The bill as amended is not intended to expand the scope of practice of optometrists with respect to the performance of surgery, the use of anesthesia, or botox injections.

STATEMENT TO
[First Reprint]
SENATE, No. 1590

with Senate Floor Amendments
(Proposed By Senator SARLO)

ADOPTED: JUNE 21, 2004

These floor amendments revise the credentialing and certification process for optometrists to be certified in the use and prescription of certain pharmaceutical agents. The credentialing requirements are to be approved and administered by the New Jersey State Board of Optometrists.

These amendments would limit optometrists' ability to administer injections only to those used to counter anaphylactic reactions. These amendments also make technical changes to the bill.

These amendments make the bill identical to Assembly Bill No. 2825 (2R).