

By Senator Diaz

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1                   A bill to be entitled  
2       An act relating to optometry; reordering and amending  
3       s. 463.002, F.S.; revising and defining terms;  
4       amending s. 463.003, F.S.; revising the member  
5       composition requirements for the Board of Optometry;  
6       revising applicability; amending s. 463.005, F.S.;  
7       revising specified rules the board must adopt;  
8       amending s. 463.0055, F.S.; revising circumstances  
9       under which a certified optometrist may administer or  
10      prescribe ocular pharmaceutical agents; deleting  
11      requirements a certified optometrist must satisfy to  
12      administer or prescribe ocular pharmaceutical agents;  
13      requiring the board to adopt a negative formulary of  
14      ocular pharmaceutical agents certified optometrists  
15      are prohibited from administering or prescribing;  
16      deleting provisions relating to the topical and oral  
17      ocular pharmaceutical agent formularies established by  
18      the board; requiring the board to mail a copy of the  
19      negative formulary to all certified optometrists and  
20      licensed pharmacies under certain circumstances;  
21      revising the controlled substances that certified  
22      optometrists are prohibited from administering or  
23      prescribing; creating s. 463.0056, F.S.; authorizing  
24      certain certified optometrists to perform laser and  
25      non-laser ophthalmic procedures and therapies under  
26      certain circumstances; providing certification  
27      requirements certified optometrists must satisfy to  
28      perform such procedures and therapies; requiring the  
29      board to approve the courses and examinations to be

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30 used for certification if certain conditions are met;  
31 requiring the board to review and approve the  
32 examination annually if certain conditions are met;  
33 authorizing certified optometrists to use the board-  
34 approved course and examination to satisfy their  
35 continuing education requirements under certain  
36 circumstances; prohibiting a certified optometrist who  
37 does not complete such course and examination from  
38 performing certain ophthalmic procedures; specifying  
39 ophthalmic procedures that are excluded from the scope  
40 of practice of optometry, with an exception; amending  
41 s. 463.0057, F.S.; conforming a provision to changes  
42 made by the act; amending s. 463.006, F.S.; conforming  
43 provisions to changes made by the act; requiring the  
44 board to determine the required content, grading  
45 criteria, and passing score for the licensure  
46 examination for certified optometrists; making  
47 technical changes; amending s. 463.0135, F.S.;  
48 authorizing certified optometrists to remove  
49 superficial foreign bodies; defining the term  
50 "superficial foreign bodies"; specifying circumstances  
51 under which optometrists may perform procedures within  
52 the practice of optometry which may otherwise be  
53 considered surgery; requiring licensed practitioners  
54 who are not certified optometrists to display in their  
55 practices a sign containing specified information;  
56 amending s. 463.014, F.S.; deleting a prohibition on  
57 surgery performed by certified optometrists to conform  
58 to changes made by the act; amending ss. 463.009 and

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59           641.31, F.S.; conforming cross-references; providing  
60           an effective date.

61

62 Be It Enacted by the Legislature of the State of Florida:

63

64           Section 1. Section 463.002, Florida Statutes, is reordered  
65 and amended to read:

66           463.002 Definitions.—As used in this chapter, the term:

67           (2)~~(1)~~ "Board" means the Board of Optometry.

68           (5)~~(2)~~ "Department" means the Department of Health.

69           (8)~~(3)~~~~(a)~~ "Licensed practitioner" means a person who is a  
70 primary health care provider licensed to engage in the practice  
71 of optometry under the authority of this chapter. With respect  
72 to persons initially licensed under this chapter after July 1,  
73 1993, the term includes only certified optometrists.

74           ~~(b) A licensed practitioner who is not a certified~~  
75 ~~optometrist shall be required to display at her or his place of~~  
76 ~~practice a sign which states, "I am a Licensed Practitioner, not~~  
77 ~~a Certified Optometrist, and I am not able to prescribe ocular~~  
78 ~~pharmaceutical agents."~~

79           ~~(c) All practitioners initially licensed after July 1,~~  
80 ~~1993, must be certified optometrists.~~

81           (3)~~(4)~~ "Certified optometrist" or "certified optometric  
82 physician" means a licensed practitioner authorized by the board  
83 to administer and prescribe ocular pharmaceutical agents.

84           (9)~~(5)~~ "Ocular pharmaceutical agent" means a pharmaceutical  
85 agent that is administered or prescribed ~~topically or orally~~ for  
86 the diagnosis or treatment of ocular conditions of the human eye  
87 and its appendages ~~without the use of surgery or other invasive~~

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88 techniques.

89 (13)~~(6)~~ "Surgery" means a procedure using an instrument,  
90 including a laser, scalpel, or needle, in which human tissue is  
91 cut, burned, scraped except as provided in s. 463.0135(12) ~~s.~~  
92 ~~463.014(4)~~, or vaporized, by incision, injection, ultrasound,  
93 laser, infusion, cryotherapy, or radiation. The term includes a  
94 procedure using an instrument which requires the closure of  
95 human tissue by suture, clamp, or other such device.

96 (11)~~(7)~~ "Optometry" means the diagnosis, evaluation,  
97 treatment, and management of conditions of the human eye and its  
98 appendages, including any visual, muscular, neurological, or  
99 anatomical anomalies and chronic systemic conditions relating to  
100 the eye; the determination of the refractive powers of the human  
101 eye; and the prescribing and employment of any objective or  
102 subjective means or methods, including the administration of  
103 ocular pharmaceutical agents, contact lenses, spectacle lenses,  
104 magnification lenses, vision therapy, low vision rehabilitation  
105 devices, and ophthalmic procedures and therapy, for the  
106 diagnosis, evaluation, correction, remedy, treatment,  
107 management, or relief of any insufficiency, anomaly,  
108 abnormality, or disease condition relating to the human eye or  
109 its appendages for the purpose of determining the refractive  
110 powers of the human eyes, or any visual, muscular, neurological,  
111 or anatomic anomalies of the human eyes and their appendages;  
112 and the prescribing and employment of lenses, prisms, frames,  
113 mountings, contact lenses, orthoptic exercises, light  
114 frequencies, and any other means or methods, including ocular  
115 pharmaceutical agents, for the correction, remedy, or relief of  
116 any insufficiencies or abnormal conditions of the human eyes and

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117 ~~their appendages.~~

118 (6)~~(8)~~ "Direct supervision" means supervision to an extent  
119 that the licensee remains on the premises while all procedures  
120 are being done and gives final approval to any procedures  
121 performed by an employee.

122 (7)~~(9)~~ "General supervision" means the responsible  
123 supervision of supportive personnel by a licensee who need not  
124 be present when such procedures are performed, but who assumes  
125 legal liability therefor. Except in cases of emergency, "general  
126 supervision" shall require the easy availability or physical  
127 presence of the licensee for consultation with and direction of  
128 the supportive personnel.

129 (1)~~(10)~~ "Appendages" means the eyelids, the eyebrows, the  
130 conjunctiva, and the lacrimal apparatus.

131 (14)~~(11)~~ "Transcript-quality" means a course that ~~which~~ is  
132 in conjunction with or sponsored by a school or college of  
133 optometry or equivalent educational entity, which course is  
134 approved by the board and requires a test and passing grade.

135 (4)~~(12)~~ "Clock hours" means the actual time engaged in  
136 approved coursework and clinical training.

137 (10) "Optometrist certified in ophthalmic procedures" means  
138 a certified optometrist who is authorized under s. 463.0056 to  
139 perform board-approved laser and non-laser ophthalmic procedures  
140 and therapy in accordance with that section.

141 (12) "Refraction" means the use of lenses and ocular  
142 pharmaceutical agents during the course of a comprehensive  
143 medical eye examination to determine a patient's visual,  
144 neurological, and physical requirements to attain optimal visual  
145 and perceptual performance.

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146 Section 2. Subsections (2) and (4) of section 463.003,  
147 Florida Statutes, are amended to read:

148 463.003 Board of Optometry.—

149 (2) Five members of the board must be certified  
150 optometrists or optometrists certified in ophthalmic procedures  
151 ~~licensed practitioners~~ actively practicing in this state. The  
152 remaining two members must be citizens of this ~~the~~ state who are  
153 not, and have never been, licensed practitioners and who are in  
154 no way connected with the practice of optometry or with any  
155 vision-oriented profession or business. At least one member of  
156 the board must be 60 years of age or older.

157 (4) All applicable provisions of chapter 456 relating to  
158 activities of regulatory boards which do not conflict with this  
159 chapter shall apply.

160 Section 3. Subsection (1) of section 463.005, Florida  
161 Statutes, is amended to read:

162 463.005 Authority of the board.—

163 (1) The Board of Optometry shall ~~has authority to~~ adopt  
164 rules pursuant to ss. 120.536(1) and 120.54 to implement the  
165 provisions of this chapter conferring duties upon it. Such rules  
166 must ~~shall~~ include, but need not be limited to, rules relating  
167 to all of the following:

168 (a) Standards of practice, including, but not limited to,  
169 those provided ~~for~~ in s. 463.0135.

170 (b) Minimum equipment that ~~which~~ a licensed practitioner  
171 must ~~shall~~ at all times possess to engage in the practice of  
172 optometry.

173 (c) Minimum procedures that ~~which shall~~ constitute a visual  
174 examination.

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175 (d) Procedures for the safekeeping and transfer of  
176 prescription files or case records ~~upon the discontinuance of~~  
177 ~~practice.~~

178 (e) Supervision of supportive personnel.

179 (f) Courses and procedures for continuing education.

180 (g) Practices and procedures for the administration and  
181 prescription of ocular pharmaceutical agents.

182 (h) Laser and non-laser ophthalmic procedures and therapies  
183 an optometrist certified in ophthalmic procedures may perform,  
184 including, but not limited to, the standards of practice for  
185 such ophthalmic procedures and therapies.

186 (i) The scope of practice of optometry consistent with this  
187 chapter.

188 (j) Required content, grading criteria, and passing scores  
189 for the licensure examinations set forth in s. 463.006.

190 Section 4. Section 463.0055, Florida Statutes, is amended  
191 to read:

192 463.0055 Administration and prescription of ocular  
193 pharmaceutical agents.—

194 (1) ~~(a)~~ Certified optometrists may administer and prescribe  
195 ocular pharmaceutical agents as provided in this section for the  
196 diagnosis and treatment of ocular conditions of the human eye  
197 and its appendages ~~without the use of surgery or other invasive~~  
198 ~~techniques.~~ However, a licensed practitioner who is not  
199 certified may use topically applied anesthetics solely for the  
200 purpose of glaucoma examinations, but is otherwise prohibited  
201 from administering or prescribing ocular pharmaceutical agents.

202 ~~(b) Before a certified optometrist may administer or~~  
203 ~~prescribe oral ocular pharmaceutical agents, the certified~~

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204 ~~optometrist must provide proof to the department of successful~~  
205 ~~completion of a course and subsequent examination, approved by~~  
206 ~~the board, on general and ocular pharmaceutical agents and the~~  
207 ~~side effects of those agents. The course shall consist of 20~~  
208 ~~contact hours, all of which may be web-based. The first course~~  
209 ~~and examination shall be presented by October 1, 2013, and shall~~  
210 ~~be administered at least annually thereafter. The course and~~  
211 ~~examination shall be developed and offered jointly by a~~  
212 ~~statewide professional association of physicians in this state~~  
213 ~~accredited to provide educational activities designated for the~~  
214 ~~American Medical Association Physician's Recognition Award (AMA~~  
215 ~~PRA) Category 1 credit and a statewide professional association~~  
216 ~~of licensed practitioners which provides board-approved~~  
217 ~~continuing education on an annual basis. The board shall review~~  
218 ~~and approve the content of the initial course and examination if~~  
219 ~~the board determines that the course and examination adequately~~  
220 ~~and reliably satisfy the criteria set forth in this section. The~~  
221 ~~board shall thereafter annually review and approve the course~~  
222 ~~and examination if the board determines that the content~~  
223 ~~continues to adequately and reliably satisfy the criteria set~~  
224 ~~forth in this section. Successful completion of the board-~~  
225 ~~approved course and examination may be used by a certified~~  
226 ~~optometrist to satisfy 20 hours of the continuing education~~  
227 ~~requirements in s. 463.007(3), only for the biennial period in~~  
228 ~~which the board-approved course and examination are taken. If a~~  
229 ~~certified optometrist does not complete a board-approved course~~  
230 ~~and examination under this section, the certified optometrist is~~  
231 ~~only authorized to administer and prescribe topical ocular~~  
232 ~~pharmaceutical agents.~~



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233           (2) ~~(a)~~ The board shall establish a negative formulary of  
234 ~~topical~~ ocular pharmaceutical agents that a certified  
235 optometrist may not administer or prescribe ~~be prescribed and~~  
236 ~~administered by a certified optometrist.~~ The formulary shall  
237 ~~consist of those topical ocular pharmaceutical agents that are~~  
238 ~~appropriate to treat or diagnose ocular diseases and disorders~~  
239 ~~and that the certified optometrist is qualified to use in the~~  
240 ~~practice of optometry.~~ The board shall establish, ~~add to, delete~~  
241 ~~from, or modify the topical formulary by rule.~~ Notwithstanding  
242 ~~any provision of chapter 120 to the contrary, the topical~~  
243 ~~formulary rule becomes effective 60 days from the date it is~~  
244 ~~filed with the Secretary of State.~~

245           ~~(b)~~ The formulary may be ~~added to, deleted from, or~~  
246 ~~modified according to the procedure described in paragraph (a).~~  
247 ~~Any person who requests an addition, deletion, or modification~~  
248 ~~of an authorized topical ocular pharmaceutical agent shall have~~  
249 ~~the burden of proof to show cause why such addition, deletion,~~  
250 ~~or modification should be made.~~

251           ~~(c)~~ The State Surgeon General shall have ~~standing to~~  
252 ~~challenge any rule or proposed rule of the board pursuant to s.~~  
253 ~~120.56.~~ In addition to ~~challenges for any invalid exercise of~~  
254 ~~delegated legislative authority, the administrative law judge,~~  
255 ~~upon such a challenge by the State Surgeon General, may declare~~  
256 ~~all or part of a rule or proposed rule invalid if it:~~

257           1. ~~Does not protect the public from any significant and~~  
258 ~~discernible harm or damages;~~

259           2. ~~Unreasonably restricts competition or the availability~~  
260 ~~of professional services in the state or in a significant part~~  
261 ~~of the state; or~~

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262 ~~3. Unnecessarily increases the cost of professional~~  
263 ~~services without a corresponding or equivalent public benefit.~~

264  
265 ~~However, there shall not be created a presumption of the~~  
266 ~~existence of any of the conditions cited in this subsection in~~  
267 ~~the event that the rule or proposed rule is challenged.~~

268 ~~(d) Upon adoption of the negative formulary required by~~  
269 ~~this section, and upon each addition, deletion, or modification~~  
270 ~~to the formulary, the board shall mail a copy of the amended~~  
271 ~~formulary to each certified optometrist and to each pharmacy~~  
272 ~~licensed by the state.~~

273 ~~(3) In addition to the formulary of topical ocular~~  
274 ~~pharmaceutical agents established by rule of the board, there is~~  
275 ~~created a statutory formulary of oral ocular pharmaceutical~~  
276 ~~agents, which includes the following agents:~~

277 ~~(a) The following analgesics or their generic or~~  
278 ~~therapeutic equivalents, which may not be administered or~~  
279 ~~prescribed for more than 72 hours without consultation with a~~  
280 ~~physician licensed under chapter 458 or chapter 459 who is~~  
281 ~~skilled in diseases of the eye:~~

282 ~~1. Tramadol hydrochloride.~~

283 ~~2. Acetaminophen 300 mg with No. 3 codeine phosphate 30 mg.~~

284 ~~(b) The following antibiotics or their generic or~~  
285 ~~therapeutic equivalents:~~

286 ~~1. Amoxicillin with or without clavulanic acid.~~

287 ~~2. Azithromycin.~~

288 ~~3. Erythromycin.~~

289 ~~4. Dicloxacillin.~~

290 ~~5. Doxycycline/Tetracycline.~~

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291       ~~6. Keflex.~~  
292       ~~7. Minocycline.~~  
293       ~~(c) The following antivirals or their generic or~~  
294 ~~therapeutic equivalents:~~

295       ~~1. Acyclovir.~~  
296       ~~2. Famciclovir.~~  
297       ~~3. Valacyclovir.~~

298       ~~(d) The following oral anti-glaucoma agents or their~~  
299 ~~generic or therapeutic equivalents, which may not be~~  
300 ~~administered or prescribed for more than 72 hours:~~

301       ~~1. Acetazolamide.~~  
302       ~~2. Methazolamide.~~

303  
304 ~~Any oral ocular pharmaceutical agent that is listed in the~~  
305 ~~statutory formulary set forth in this subsection and that is~~  
306 ~~subsequently determined by the United States Food and Drug~~  
307 ~~Administration to be unsafe for administration or prescription~~  
308 ~~shall be considered to have been deleted from the formulary of~~  
309 ~~oral ocular pharmaceutical agents. The oral ocular~~  
310 ~~pharmaceutical agents on the statutory formulary set forth in~~  
311 ~~this subsection may not otherwise be deleted by the board, the~~  
312 ~~department, or the State Surgeon General.~~

313       ~~(3)-(4)~~ (3) A certified optometrist shall be issued a prescriber  
314 number by the board. Any prescription written by a certified  
315 optometrist for an ocular pharmaceutical agent pursuant to this  
316 section shall have the prescriber number printed thereon. A  
317 certified optometrist may not administer or prescribe any of the  
318 following:

319       (a) A controlled substance listed in Schedule II, Schedule

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320 III, Schedule IV, or Schedule V of s. 893.03, except for an oral  
321 analgesic ~~placed on the formulary pursuant to this section~~ for  
322 the relief of pain due to ocular conditions of the eye and its  
323 appendages.

324 (b) A controlled substance for the treatment of chronic  
325 nonmalignant pain as defined in s. 456.44(1)(f).

326 Section 5. Section 463.0056, Florida Statutes, is created  
327 to read:

328 463.0056 Ophthalmic Procedures.-

329 (1) (a) An optometrist certified in ophthalmic procedures  
330 may perform laser and non-laser ophthalmic procedures and  
331 therapies as authorized by the board but may not perform an  
332 ophthalmic procedure or therapy that requires preoperative  
333 medications or drug-induced alteration of consciousness.  
334 However, an optometrist certified in ophthalmic procedures may  
335 use medication for minimal tranquilization of the patient and  
336 local or topical anesthesia if the chances of complications  
337 requiring hospitalization of the patient as a result are remote.

338 (b) To be certified to perform ophthalmic procedures, a  
339 certified optometrist must first provide proof to the department  
340 of successful completion of a course and subsequent examination,  
341 approved by the board, on laser and non-laser ophthalmic  
342 procedures and therapy. The course and examination shall be  
343 developed and offered jointly by a statewide professional  
344 association of physicians in this state accredited to provide  
345 educational activities designated for the American Medical  
346 Association Physician's Recognition Award Category 1 credit and  
347 a statewide professional association of licensed practitioners  
348 which provides board-approved continuing education on an annual

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349 basis. The board shall review and approve the content of the  
350 initial course and examination if the board determines that the  
351 course and examination adequately and reliably satisfy the  
352 criteria set forth in this section. The board shall thereafter  
353 annually review and approve the examination if the board  
354 determines that the content continues to adequately and reliably  
355 satisfy the criteria set forth in this section. Successful  
356 completion of the board-approved course and examination may be  
357 used by a certified optometrist to satisfy the continuing  
358 education requirements in s. 463.007(3) only for the biennial  
359 period in which the board-approved course and examination are  
360 taken. If a certified optometrist does not complete a board-  
361 approved course and examination under this section, the  
362 certified optometrist may not perform ophthalmic procedures  
363 described in paragraph (a).

364 (2) The following ophthalmic procedures are excluded from  
365 the scope of practice of optometry, except for the preoperative  
366 and postoperative care of these procedures:

367 (a) Laser vision correction, penetrating keratoplasty, and  
368 corneal or lamellar keratoplasty.

369 (b) Laser of the vitreous chamber or retina of the eye to  
370 treat any vitreomacular or retinal disease.

371 (c) Surgery of the eyelid for suspected eyelid malignancies  
372 or for incisional cosmetic or mechanical repair of  
373 blepharochalasis, ptosis, or tarsorrhaphy.

374 (d) Surgery of the boney orbit, including, but not limited  
375 to, orbital implants or removal of the human eye.

376 (e) Incisional or excisional surgery of the lacrimal system  
377 other than lacrimal probing or related procedures.

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378 (f) Surgery requiring full thickness incision or excision  
379 of the cornea or sclera other than paracentesis in an emergency  
380 situation requiring immediate reduction of elevated pressure  
381 inside the eye.

382 (g) Surgery requiring incision or excision by scalpel of  
383 the iris and ciliary body, including, but not limited to, iris  
384 diathermy or cryotherapy.

385 (h) Surgery requiring incision or excision of the vitreous  
386 or retina.

387 (i) Surgery requiring incision or excision of the  
388 crystalline lens or an intraocular prosthetic implant.

389 (j) Surgery involving incision or excision of the  
390 extraocular muscles.

391 (k) Surgery requiring full thickness conjunctivoplasty with  
392 graft or flap.

393 (l) Pterygium surgery.

394 (m) Any other procedure or therapy the board deems  
395 appropriate.

396 Section 6. Subsection (3) of section 463.0057, Florida  
397 Statutes, is amended to read:

398 463.0057 Optometric faculty certificate.—

399 (3) The holder of a faculty certificate may engage in the  
400 practice of optometry as permitted by this section but may not  
401 administer or prescribe topical ocular pharmaceutical agents  
402 unless the certificateholder has satisfied the requirements of  
403 s. 463.006(1)(e) and (f). ~~If a certificateholder wishes to~~  
404 ~~administer or prescribe oral ocular pharmaceutical agents, the~~  
405 ~~certificateholder must also satisfy the requirements of s.~~  
406 ~~463.0055(1)(b).~~

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407 Section 7. Section 463.006, Florida Statutes, is amended to  
408 read:

409 463.006 Licensure and certification by examination.—

410 (1) Any person desiring to be a certified optometrist  
411 ~~licensed practitioner~~ pursuant to this chapter must apply to the  
412 department and must submit proof to the department that she or  
413 he:

414 (a) Has completed the application forms as required by the  
415 board, remitted an application fee for certification not to  
416 exceed \$250, remitted an examination fee for certification not  
417 to exceed \$250, and remitted an examination fee for licensure  
418 not to exceed \$325, all as set by the board.

419 (b) Is at least 18 years of age.

420 (c) Has graduated from an accredited school or college of  
421 optometry approved by rule of the board.

422 (d) Is of good moral character.

423 (e) Has successfully completed at least 110 hours of  
424 transcript-quality coursework and clinical training in general  
425 and ocular pharmacology as determined by the board, at an  
426 institution that:

427 1. Has facilities for both didactic and clinical  
428 instructions in pharmacology; and

429 2. Is accredited by a regional or professional accrediting  
430 organization that is recognized and approved by the Commission  
431 on Recognition of Postsecondary Accreditation or the United  
432 States Department of Education.

433 (f) Has completed at least 1 year of supervised experience  
434 in differential diagnosis of eye disease or disorders as part of  
435 the optometric training or in a clinical setting as part of the

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436 optometric experience.

437 (2) The board shall approve a licensure examination  
438 consisting of the appropriate subjects and including applicable  
439 state laws and rules and general and ocular pharmacology with  
440 emphasis on the use and side effects of ocular pharmaceutical  
441 agents. The board may by rule substitute a national examination  
442 as part or all of the examination and, notwithstanding chapter  
443 456, may by rule offer a practical examination in addition to a  
444 written examination. The board shall determine the required  
445 content, grading criteria, and passing score for the licensure  
446 examination.

447 (3) Each applicant who submits proof satisfactory to the  
448 board that he or she has met the requirements of subsection (1),  
449 who successfully passes the licensure examination within 3 years  
450 before the date of application or within 3 years after the  
451 submission of an application, and who otherwise meets the  
452 requirements of this chapter is entitled to be licensed as a  
453 certified optometrist practitioner ~~and to be certified to~~  
454 ~~administer and prescribe ocular pharmaceutical agents in the~~  
455 ~~diagnosis and treatment of ocular conditions.~~

456 Section 8. Subsections (12) and (13) are added to section  
457 463.0135, Florida Statutes, to read:

458 463.0135 Standards of practice.—

459 (12) Certified optometrists may remove superficial foreign  
460 bodies. For the purpose of this subsection, the term  
461 "superficial foreign bodies" means any foreign matter that is  
462 embedded in the conjunctiva or cornea but that has not  
463 penetrated the globe. Notwithstanding the definition of surgery  
464 in s. 463.002, a certified optometrist may provide any



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465 optometric care within the practice of optometry as defined in  
466 s. 463.002, including, but not limited to, removing an eyelash  
467 by epilation, probing an uninflamed tear duct in a patient 18  
468 years of age or older, blocking the puncta by plug, or  
469 superficial scraping for the purpose of removing damaged  
470 epithelial tissue or superficial foreign bodies or taking a  
471 culture of the surface of the cornea or conjunctiva.

472 (13) A licensed practitioner who is not a certified  
473 optometrist is required to display at her or his place of  
474 practice a sign that states, "I am a Licensed Practitioner, not  
475 a Certified Optometrist, and I am not able to prescribe ocular  
476 pharmaceutical agents or perform ophthalmic procedures."

477 Section 9. Subsection (4) of section 463.014, Florida  
478 Statutes, is amended to read:

479 463.014 Certain acts prohibited.-

480 ~~(4) Surgery of any kind is expressly prohibited. Certified~~  
481 ~~optometrists may remove superficial foreign bodies. For the~~  
482 ~~purposes of this subsection, the term "superficial foreign~~  
483 ~~bodies" means any foreign matter that is embedded in the~~  
484 ~~conjunctiva or cornea but that has not penetrated the globe.~~  
485 ~~Notwithstanding the definition of surgery as provided in s.~~  
486 ~~463.002(6), a certified optometrist is not prohibited from~~  
487 ~~providing any optometric care within the practice of optometry~~  
488 ~~as defined in s. 463.002(7), such as removing an eyelash by~~  
489 ~~epilation, probing an uninflamed tear duct in a patient 18 years~~  
490 ~~of age or older, blocking the puncta by plug, or superficial~~  
491 ~~scraping for the purpose of removing damaged epithelial tissue~~  
492 ~~or superficial foreign bodies or taking a culture of the surface~~  
493 ~~of the cornea or conjunctiva.~~

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494 Section 10. Section 463.009, Florida Statutes, is amended  
495 to read:

496 463.009 Supportive personnel.—No person other than a  
497 licensed practitioner may engage in the practice of optometry as  
498 defined in s. 463.002 ~~s. 463.002(7)~~. Except as provided in this  
499 section, under no circumstances shall nonlicensed supportive  
500 personnel be delegated diagnosis or treatment duties; however,  
501 such personnel may perform data gathering, preliminary testing,  
502 prescribed visual therapy, and related duties under the direct  
503 supervision of the licensed practitioner. Nonlicensed personnel,  
504 who need not be employees of the licensed practitioner, may  
505 perform ministerial duties, tasks, and functions assigned to  
506 them by and performed under the general supervision of a  
507 licensed practitioner, including obtaining information from  
508 consumers for the purpose of making appointments for the  
509 licensed practitioner. The licensed practitioner shall be  
510 responsible for all delegated acts performed by persons under  
511 her or his direct and general supervision.

512 Section 11. Subsection (19) of section 641.31, Florida  
513 Statutes, is amended to read:

514 641.31 Health maintenance contracts.—

515 (19) Notwithstanding any other provision of law, health  
516 maintenance policies or contracts which provide coverage,  
517 benefits, or services as described in s. 463.002 ~~s. 463.002(7)~~,  
518 shall offer to the subscriber the services of an optometrist  
519 licensed pursuant to chapter 463.

520 Section 12. This act shall take effect July 1, 2021.