

By: Senator(s) Caughman

To: Public Health and
Welfare

SENATE BILL NO. 2763

1 AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE STATE BOARD OF OPTOMETRY TO DEFINE THE PRACTICE OF
3 OPTOMETRY; TO PROVIDE FOR THE DISEASES AND CONDITIONS THAT
4 OPTOMETRISTS ARE AUTHORIZED TO EXAMINE, DIAGNOSE AND MANAGE; TO
5 PROVIDE THAT AN OPTOMETRIST MAY UTILIZE LOCAL ANESTHESIA IN THE
6 PERFORMANCE OF CERTAIN PROCEDURES; TO PROVIDE THAT NO OPTOMETRIST
7 SHALL PERFORM CATARACT SURGERY OR ANY OTHER SURGERY THAT REQUIRES
8 GENERAL ANESTHESIA; TO PROVIDE THAT OPTOMETRISTS MAY PERFORM
9 CERTAIN OPTOMETRIC LASER PROCEDURES; TO AMEND SECTION 73-19-27,
10 MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT ALLOWS
11 OPTOMETRIST TO USE PHARMACEUTICAL AGENTS IN THEIR PRACTICE; TO
12 AMEND SECTION 73-19-157, MISSISSIPPI CODE OF 1972, TO PROVIDE
13 OPTOMETRISTS THE AUTHORITY TO USE AND PRESCRIBE CERTAIN
14 PHARMACEUTICAL MEDICATIONS; AND FOR RELATED PURPOSES.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

16 **SECTION 1.** Section 73-19-1, Mississippi Code of 1972, is
17 amended as follows:

18 73-19-1. (1) The practice of optometry * * * shall be
19 defined * * * by the State Board of Optometry and shall include
20 the application of optical principles, through technical methods
21 and devices in the examination of human eyes for the purpose of
22 ascertaining departures from the normal, measuring their
23 functional powers and adapting or prescribing optical accessories,
24 including spectacles, contact lenses and low-vision devices, for



the aid thereof, including, but not limited to, the use of computerized or automated refracting devices, lenses and prisms, vision therapy and low-vision rehabilitation therapy. The practice of optometry shall include the prescribing and use of therapeutic pharmaceutical agents by optometrists certified under Sections 73-19-153 through 73-19-165. * * * The practice of optometry shall include the removal of superficial foreign bodies from the eye or other noninvasive procedures. Nothing in this section or any other provision of law shall be construed to prohibit optometrists who have been certified under Sections 73-19-153 through 73-19-165 from providing postophthalmic surgical or clinical care and management with the advice and consultation of the operating or treating physician. One who is engaged in the practice of optometry as a profession as defined in this subsection and who has sufficient education and professional competence, as defined by the State Board of Optometry, shall be authorized to examine, diagnose, manage and treat conditions and diseases of the eye and eyelid including the following:

(a) The administration and prescribing of pharmaceutical agents rational to the diagnosis and treatment of conditions or diseases of the eye or eyelid;

(b) The performance of primary eye care procedures rational to the treatment of condition or diseases of the eye or eyelid as determined by the Board of Optometry;



49 (c) The performance and ordering of procedures and
50 laboratory tests rational to the diagnosis of conditions or
51 diseases of the eye and eyelid;

52 (d) The use of a local anesthetic in conjunction with
53 the primary care treatment of an eyelid lesion; provided, however,
54 that no optometrist shall use a local anesthetic for this purpose
55 unless the optometrist has met the certification requirements set
56 forth by the Board of Optometry for the administration of
57 pharmaceutical agents in the performance of primary eye care
58 procedures. Nothing in this subsection shall be construed as
59 allowing an optometrist to perform any reconstructive surgical
60 procedure on the eyelid; and

61 (e) An optometrist may utilize local anesthesia by
62 injection in performing the following procedures:

63 (i) Needle drainage of an eyelid abscess,
64 hematoma, bulla and seroma;

65 (ii) Excision of a single epidermal lesion without
66 characteristics of malignancy, no later than five (5) millimeters
67 in size and no deeper than the dermal layer of the skin;

68 (iii) Incision and curettage of a nonrecurrent
69 chalazion;

70 (iv) Simple repair of an eyelid laceration no
71 larger than two and one-half (2-1/2) centimeters and no deeper
72 than the orbicularis muscle and not involving the eyelid margin or
73 lacrimal drainage structures; or



74 (v) Removal of foreign bodies in the eyelid not
75 involving lid margin, lacrimal drainage structures, and extending
76 no deeper than the orbicularis muscle.

77 (2) Nothing in Laws of 2005, Chapter 404, shall be construed
78 or interpreted to allow any optometrist to treat systemic diseases
79 and/or conditions.

80 (3) Optometrists practicing in this state shall not perform
81 cataract surgery or any other surgical procedures requiring
82 general anesthesia.

83 (4) Optometrist practicing under the authority of this
84 section shall be held to the same standard of care as that of
85 other physicians providing similar services. No optometrist shall
86 practice under this section unless the optometrist has submitted
87 to the Board of Optometry evidence of satisfactory completion of
88 all education requirements and the board has certified the
89 optometrist as educationally qualified.

90 (5) An optometrist may perform the following if he has been
91 certified by the Board of Optometry to perform the optometric
92 laser procedure:

93 (a) Laser capsulotomy;

94 (b) Laser trabeculoplasty; and

95 (c) Laser peripheral iridotomy.

96 **SECTION 2.** Section 73-19-27, Mississippi Code of 1972, is
97 amended as follows:



73-19-27. Nothing in this chapter shall be construed as
conferring on the holder of any certificate of licensure issued by
said board the title of oculist, ophthalmologist, or any other
word or abbreviation indicating that he is engaged in the practice
of medicine or surgery. * * *

SECTION 3. Section 73-19-157, Mississippi Code of 1972, is
amended as follows:

73-19-157. * * * Optometrists shall be authorized to use and
prescribe the following:

* * *

(* * *a) Over-the-counter medications;

* * *

(* * *b) All pharmaceutical medications which are
rational and appropriate for the examination, diagnosis,
management or treatment of visual defects, abnormal conditions or
diseases of the eye and/or eyelids as authorized by Section
73-19-1. These agents shall not include any drug or substance
listed in Schedules I of the Uniform Controlled Dangerous
Substances Law;

(* * *c) The administration of an auto injection or
epi-pen to counteract anaphylactic reaction, followed by immediate
referral of the patient to the nearest emergency medical
facility * * *; and



121 (d) In a public health emergency, the State Health
122 Officer may authorize therapeutically licensed optometrists to
123 administer inoculations for systemic health reasons.

124 **SECTION 4.** This act shall take effect and be in force from
125 and after July 1, 2021.

