

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1302**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

18           **SECTION 1.** Section 73-19-1, Mississippi Code of 1972, is  
19 amended as follows:  
20           73-19-1. (1) The practice of optometry is defined to be  
21 the application of optical principles, through technical methods  
22 and devices in the examination of human eyes for the purpose of  
23 ascertaining departures from the normal, measuring their  
24 functional powers and adapting or prescribing optical  
25 accessories, including spectacles, contact lenses and low-vision  
26 devices, for the aid thereof, including, but not limited to, the  
27 use of computerized or automated refracting devices, lenses and



28 prisms, vision therapy and low-vision rehabilitation therapy.  
29 The practice of optometry shall include the prescribing and use  
30 of therapeutic pharmaceutical agents by optometrists certified  
31 under Sections 73-19-153 through 73-19-165. The practice of  
32 optometry shall \* \* \* include the removal of superficial foreign  
33 bodies from the eye or other noninvasive procedures. Nothing in  
34 this section or any other provision of law shall be construed to  
35 prohibit optometrists who have been certified under Sections  
36 73-19-153 through 73-19-165 from providing postophthalmic  
37 surgical or clinical care and management with the advice and  
38 consultation of the operating or treating physician. One who is  
39 engaged in the practice of optometry as a profession as defined  
40 in this subsection and who has sufficient education and  
41 professional competence, as defined by the State Board of  
42 Optometry, shall be authorized to examine, diagnose, manage and  
43 treat conditions and diseases of the eye and eyelid, including  
44 the following:

45           (a) The administration and prescribing of  
46 pharmaceutical agents rational to the diagnosis and treatment of  
47 conditions or diseases of the eye or eyelid; excluding  
48 administration that requires intraocular injection or  
49 intraocular implantation;

50           (b) The performance of primary eye care procedures  
51 not otherwise excluded within this statute rational to the  
52 treatment of conditions or diseases of the eye or eyelid;



53           (c) The performance and ordering of procedures and  
54 laboratory tests rational to the diagnosis of conditions or  
55 diseases of the eye and eyelid; excluding those requiring biopsy  
56 of any part of the globe or intraocular aspiration or  
57 penetration;

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

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

69                   (i) Needle drainage of an eyelid abscess,  
70 hematoma, bulla and seroma;

71                   (ii) Excision of a single epidermal lesion  
72 without characteristics of malignancy, no larger than five  
73 (5) millimeters in size and no deeper than the dermal layer  
74 of the skin;

75                   (iii) Incision and curettage of a nonrecurrent  
76 chalazion;



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

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

84           (2) Nothing in \* \* \* this act, shall be construed or  
85 interpreted to allow any optometrist to treat systemic diseases  
86 and/or conditions.

87           (3) Optometrists practicing in this state shall not  
88 perform cataract surgery nor any other intraocular surgical  
89 procedure not specifically allowed in this statute.

90           (4) Optometrists practicing under the authority of this  
91 section shall be held to the same standard of care as that of  
92 other physicians providing similar services. No optometrist shall  
93 practice under this section unless the optometrist has submitted  
94 to the Board of Optometry evidence of satisfactory completion of  
95 all education requirements and the board has certified the  
96 optometrist as educationally qualified.

97           (5) An optometrist may perform the following if he has been  
98 certified by the Board of Optometry to perform optometric laser  
99 procedure: YAG laser posterior capsulotomy.

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



102           73-19-27. Nothing in this chapter shall be construed as  
103 conferring on the holder of any certificate of licensure issued by  
104 said board the title of oculist, ophthalmologist, or any other  
105 word or abbreviation indicating that he is engaged in the practice  
106 of medicine or surgery. \* \* \*

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

109           73-19-157. Any optometrist certified to prescribe and use  
110 therapeutic pharmaceutical agents under Sections 73-19-153 through  
111 73-19-165 is authorized to examine, diagnose, manage and treat  
112 visual defects, abnormal conditions and diseases of the human eye  
113 or eyelids, including:

114           \* \* \*

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

116           \* \* \*

117                   (b) Pharmaceutical medications which are rational and  
118 appropriate for the examination, diagnosis, management or  
119 treatment of visual defects, abnormal conditions or diseases of  
120 the eye and/or eyelids as authorized by Section 73-19-1 of this  
121 chapter not including any medication that must be injected or  
122 implanted into the eye or orbit. Dermal fillers and  
123 substances injected for cosmetic purposes are prohibited.  
124 These agents shall not include any drug or substance listed in  
125 Schedule I of the Uniform Controlled Dangerous Substances Law;



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

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

133 **SECTION 4.** An optometrist may be licensed in Mississippi  
134 to perform authorized ophthalmic YAG laser posterior  
135 capsulotomy procedures if he/she:

136 (a) Provides proof of holding a Mississippi license  
137 to practice therapeutic optometry and is in good standing;

138 (b) Provides proof of satisfactory completion of a  
139 course of instruction as approved by the board. Those  
140 graduating from an accredited school or college of optometry  
141 within five (5) years after the effective date of this act may  
142 be excluded from course completion requirement, provided that  
143 the candidate has successfully passed appropriate coursework  
144 to fulfill requirements as determined by the board. The  
145 board-approved course of instruction shall be:

146 (i) Provided by an accredited optometry,  
147 osteopathy or medical school;

148 (ii) A minimum of thirty-two (32) clock hours  
149 in length; and



150 (iii) Sponsored by an organization approved by  
151 the board;

152 (c) Satisfactorily completes a written test approved  
153 by the board on aspects pertaining to authorized ophthalmic  
154 YAG laser posterior capsulotomy procedures;

155 (d) Passes a clinical skills assessment approved by  
156 the board;

157 (e) Participates in eight (8) additional hours of  
158 working under a preceptor who is either an ophthalmologist or  
159 licensed credentialed optometrist. The preceptor must be  
160 licensed to perform the ophthalmic YAG laser posterior  
161 capsulotomy procedures, and the training shall occur within  
162 the state in which the preceptor is licensed to perform such  
163 procedures; and

164 (f) Such other requirements as may be directed by  
165 the board.

166 **SECTION 5.** An optometrist licensed in another state who  
167 applies for licensure by endorsement in Mississippi shall be  
168 credentialed to perform authorized ophthalmic YAG laser  
169 posterior capsulotomy procedures if the applicant provides  
170 proof that:

171 (a) The applicant holds an active license in good  
172 standing by another state; and



173 (b) The applicant is credentialed by that state to  
174 perform ophthalmic YAG laser posterior capsulotomy procedures;  
175 and

176 (c) The requirements in the state of licensure for  
177 performing ophthalmic YAG laser posterior capsulotomy  
178 procedures meet or exceed the requirements in Section 1 of  
179 this act; or

180 (d) The applicant has satisfactory outcome data from  
181 prior ophthalmic YAG laser posterior capsulotomy procedures.

182 **SECTION 6.** Optometrists shall report to the board the  
183 outcome of every authorized ophthalmic surgery procedure  
184 performed in such form as required or directed by the board.

185 **SECTION 7.** This act shall take effect and be in force from  
186 and after July 1, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO  
2 DEFINE THE PRACTICE OF OPTOMETRY; TO PROVIDE FOR THE DISEASES AND  
3 CONDITIONS THAT OPTOMETRISTS ARE AUTHORIZED TO EXAMINE, DIAGNOSE  
4 AND MANAGE; TO PROVIDE THAT AN OPTOMETRIST MAY UTILIZE LOCAL  
5 ANESTHESIA IN THE PERFORMANCE OF CERTAIN PROCEDURES; TO PROVIDE  
6 THAT NO OPTOMETRIST SHALL PERFORM CATARACT SURGERY NOR ANY OTHER  
7 INTRAOCULAR SURGERY NOT SPECIFICALLY ALLOWED IN THIS STATUTE; TO  
8 PROVIDE THAT AN OPTOMETRIST MAY PERFORM YAG LASER POSTERIOR  
9 CAPSULOTOMIES IF HE/SHE HAS BEEN CERTIFIED BY THE BOARD OF  
10 OPTOMETRY TO PERFORM OPTOMETRIC YAG LASER POSTERIOR CAPSULOTOMY  
11 PROCEDURES; TO AMEND SECTION 73-19-27, MISSISSIPPI CODE OF 1972,  
12 TO DELETE THE PROVISION THAT ALLOWS OPTOMETRISTS TO USE  
13 PHARMACEUTICAL AGENTS IN THEIR PRACTICE; TO AMEND SECTION  
14 73-19-157, MISSISSIPPI CODE OF 1972, TO PROVIDE OPTOMETRISTS THE  
15 AUTHORITY TO USE AND PRESCRIBE CERTAIN PHARMACEUTICAL MEDICATIONS;  
16 AND FOR RELATED PURPOSES.

