

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

H. B. 2544

(By Delegate Householder, Stansbury, Ashley, Rodighiero
and Campbell)

[Introduced February 2, 2015; referred to the
Committee on Health and Human Resources then the Judiciary.]

A BILL to amend and reenact §30-8-9 of the Code of West Virginia, 1931, as amended, relating to
clarifying that optometrists may continue to exercise the same prescriptive authority which
they possessed prior to hydrocodone being reclassified as a Schedule II substance.

Be it enacted by the Legislature of West Virginia:

That §30-8-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted
to read as follows:

ARTICLE 8. OPTOMETRISTS.

§30-8-9. Scope of practice.

(a) An licensee may:

(1) Examine, diagnosis and treat diseases and conditions of the human eye and its appendage
within the scope established in this article or associated rules;

(2) Administer or prescribe any drug for topical application to the anterior segment of the
human eye for use in the examination, diagnosis or treatment of diseases and conditions of the
human eye and its appendages: *Provided*, That the licensee has first obtained a certificate;

1 (3)(A) Administer or prescribe any drug from the drug formulary, as established by the board
2 pursuant to section six of this article, for use in the examination, diagnosis or treatment of diseases
3 and conditions of the human eye and its appendages: *Provided*, That the licensee has first obtained
4 a certificate;

5 (B) New drugs and new drug indications may be added to the drug formulary by approval of
6 the board;

7 (4) Administer epinephrine by injection to treat emergency cases of anaphylaxis or
8 anaphylactic shock;

9 (5) Prescribe and dispense contact lenses that contain and deliver pharmaceutical agents and
10 that have been approved by the Food and Drug Administration as a drug;

11 (6) Prescribe, fit, apply, replace, duplicate or alter lenses, prisms, contact lenses, orthoptics,
12 vision training, vision rehabilitation;

13 (7) Perform the following procedures:

14 (A) Remove a foreign body from the ocular surface and adnexa utilizing a non-intrusive
15 method;

16 (B) Remove a foreign body, external eye, conjunctival, superficial, using topical anesthesia;

17 (C) Remove embedded foreign bodies or concretions from conjunctiva, using topical
18 anesthesia, not involving sclera;

19 (D) Remove corneal foreign body not through to the second layer of the cornea using topical
20 anesthesia;

21 (E) Epilation of lashes by forceps;

22 (F) Closure of punctum by plug; and

- 1 (G) Dilation of the lacrimal puncta with or without irrigation;
- 2 (8) Furnish or provide any prosthetic device to correct or relieve any defects or abnormal
3 conditions of the human eye and its appendages;
- 4 (9) Order laboratory tests rational to the examination, diagnosis, and treatment of a disease
5 or condition of the human eye and its appendages;
- 6 (10) Use a diagnostic laser; and
- 7 (11) A licensee is also permitted to perform those procedures authorized by the board prior
8 to January 1, 2010.
- 9 (b) A licensee may not:
- 10 (1) Perform surgery except as provided in this article or by legislative rule;
- 11 (2) Use a therapeutic laser;
- 12 (3) Use Schedule II controlled substances. However, an oral pharmaceutical certified
13 licensee may prescribe hydrocodone and hydrocodone containing drugs for a duration of no more
14 than three days;
- 15 (4) Treat systemic disease; or
- 16 (5) Present to the public that he or she is a specialist in surgery of the eye.

NOTE: The purpose of this bill is to permit an oral pharmaceutical certified licensee, certified optometrist, to prescribe hydrocodone and hydrocodone containing drugs, for a duration of no more than three days.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.