

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB22-1233 be amended as follows:

1 Amend printed bill, page 3, strike lines 5 through 17 and substitute:

2 **"SECTION 3.** In Colorado Revised Statutes, 12-275-103, **amend**
3 (1)(a), (1)(b) introductory portion, (1)(b)(IV), (1)(b)(X), (1)(b)(XI), (1)(d)
4 introductory portion, (1)(d)(I), and (1)(d)(III); **repeal** (1)(d)(IV); and **add**
5 (1)(b)(XII), (1)(d)(V), (1)(d)(VI), (1)(d)(VII), (1)(d)(VIII), (1)(d)(IX),
6 (1)(d)(X), and (1)(d)(XI) as follows:

7 **12-275-103. Practice of optometry defined - prescribing drugs**
8 - **therapeutic optometrist.** (1) (a) As used in this article 275, the
9 "practice of optometry" means the evaluation, diagnosis, prevention, or
10 treatment of diseases, disorders, or conditions of the vision system, eyes,
11 THEIR APPENDAGES, and adjacent and associated structures, including the
12 use or prescription of lenses, prisms, vision therapy, vision rehabilitation,
13 and prescription or nonprescription drugs including schedule II controlled
14 narcotic substances limited to hydrocodone combination drugs and
15 schedule III, IV, and V controlled narcotic substances for ocular disease,
16 so long as an optometrist is practicing within the scope of his or her
17 education as is commonly taught in accredited schools and colleges of
18 optometry and is practicing in accordance with applicable federal and
19 Colorado law and board rules.

20 (b) The following are part of the practice of optometry INCLUDES:

21 (IV) The treatment of glaucoma with all topical and oral
22 antiglaucoma drugs;

23 (X) Debridement of corneal epithelium; and

24 (XI) Removal of corneal epithelium; AND

25 (XII) AS DETERMINED BY THE BOARD BY RULE, ANY SERVICE,
26 PROCEDURE, OR TREATMENT NOT PROHIBITED UNDER THIS ARTICLE 275
27 AND THAT IS WITHIN THE TRAINING AND SKILLS OF OPTOMETRISTS BASED
28 ON THE AREAS OF COMPETENCE TESTED BY A STANDARDIZED NATIONAL
29 EXAMINATION APPROVED BY THE BOARD PURSUANT TO SECTION
30 12-275-110 (1)(c).

31 (d) The FOLLOWING PROCEDURES ARE EXCLUDED FROM THE
32 "practice of optometry", **does not include** EXCEPT FOR THE PREOPERATIVE
33 AND POSTOPERATIVE CARE OF THE FOLLOWING PROCEDURES:

34 (I) Surgery of or injections into the globe, orbit, eyelids, or ocular
35 adnexa. AS USED IN THIS SECTION, "surgery" OR "SURGICAL" means any
36 procedure in which human tissue is cut, altered, or otherwise infiltrated
37 by mechanical or laser means REQUIRING SYSTEMIC OR GENERAL
38 ANESTHESIA.

39 (III) SURGICAL OR INJECTABLE treatment of posterior uveitis; or

(IV) The use of injectable drugs, except for the use of an epinephrine auto-injector to counteract anaphylactic reaction;

(V) RETINAL LASER PROCEDURES;

(VI) LASER IN-SITU KERATOMILEUSIS, PHOTOREFRACTIVE KERATECTOMY, LASER EPITHELIAL KERATOMILEUSIS, AND SMALL INCISION LENTICULE EXTRACTION SURGERIES;

(VII) RETROBULBAR OR INTRAORBITAL INJECTIONS;

(VIII) INJECTIONS PENETRATING THE GLOBE INTO THE POSTERIOR CHAMBER OF THE EYE;

(IX) ANY SURGERY THAT DOES NOT PROVIDE FOR THE CORRECTION AND RELIEF OF OCULAR ABNORMALITY;

(X) ADMINISTRATION OF GENERAL ANESTHESIA; AND

(XI) ANY SURGERY REQUIRING SYSTEMIC OR GENERAL ANESTHESIA, INCLUDING:

- (A) SURGICAL EXTRACTION OF THE CRYSTALLINE LENS;
- (B) SURGICAL IMPLANTATION OF AN INTRAOCULAR LENS;
- (C) PENETRATING KERATOPLASTY AND LAMELLAR KERATOPLASTY;
- (D) PTERYGIUM EXCISION;
- (E) SURGERY REQUIRING FULL THICKNESS CONJUNCTIVOPLASTY WITH GRAFT OR FLAP;
- (F) INCISIONAL OR EXCISIONAL SURGERY OF THE EXTRAOCULAR MUSCLES;
- (G) SURGERY OF THE EYELID FOR CONFIRMED MALIGNANCIES OR FOR INCISIONAL COSMETIC OR MECHANICAL REPAIR OF BLEPHAROCHALASIS, PTOSIS, OR TARSORRHAPY;
- (H) SURGERY REQUIRING INCISION OF THE IRIS OR CILIARY BODY, INCLUDING IRIS DIATHERMY AND CRYOTHERAPY;
- (I) SURGERY OF THE BONY ORBIT, INCLUDING THE INSERTION OF ORBITAL IMPLANTS;
- (J) INCISIONAL OR EXCISIONAL SURGERY OF THE LACRIMAL SYSTEM, EXCEPT LACRIMAL PROBING OR RELATED PROCEDURES;
- (K) VITREORETINAL SURGERY;
- (L) SURGICAL REMOVAL OF THE EYE FROM A LIVING PERSON; AND
- (M) SURGICAL TRANSPLANTATION OF OCULAR TISSUE.

SECTION 4. In Colorado Revised Statutes, 12-275-106, amend (1)(a) as follows:

12-275-106. Persons excluded from operation of this article.

(1) This article 275 does not apply to:

(a) Professional practice by a physician or surgeon licensed to practice medicine under the laws of the state of Colorado and ancillary or technical assistants working under the direction of a licensed physician or surgeon, with the exception of the fitting of contact lenses that must be done under the physician's or surgeon's direct supervision;

SECTION 5. In Colorado Revised Statutes, 12-275-108, amend

1 (1)(h) as follows:

2 **12-275-108. Powers and duties of the board - rules - limitation**
3 **on authority.** (1) In addition to all other powers and duties conferred
4 upon the board by this article 275, the board has the following powers and
5 duties:

6 (h) To prescribe rules authorizing optometrists to utilize
7 therapeutic procedures and therapeutic techniques in the practice of
8 optometry. ~~These rules shall in no way expand the practice of optometry,~~
9 ~~nor shall the rules include the use of therapeutic or cosmetic lasers.~~ The
10 rules shall specify approved programs of education offered by an
11 accreditation organization recognized or approved by the Commission on
12 Recognition of Postsecondary Accreditation or the United States
13 department of education or their successors.".

14 Renumber succeeding sections accordingly.

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