

## HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 607

02/14/2013 Authored by Morgan, Moran, Fritz, Abeler and Barrett  
The bill was read for the first time and referred to the Committee on Health and Human Services Policy

03/04/2013 Adoption of Report: Pass as Amended and Read Second Time

04/04/2013 Calendar for the Day  
Read Third Time  
Passed by the House and transmitted to the Senate

1.1 A bill for an act  
1.2 relating to health; changing provisions for optometrists; amending Minnesota  
1.3 Statutes 2012, section 148.56, subdivision 1, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 148.56, subdivision 1, is amended to read:

1.6 Subdivision 1. **Optometry defined.** (a) Any person shall be deemed to be practicing  
1.7 optometry within the meaning of sections 148.52 to 148.62 who shall in any way:

1.8 (1) advertise as an optometrist; or

1.9 (2) employ any means, including the use of autorefractors or other automated  
1.10 testing devices, for the measurement of the powers of vision or the adaptation of lenses  
1.11 or prisms for the aid thereof; or

1.12 (3) possess testing appliances for the purpose of the measurement of the powers of  
1.13 vision; or

1.14 (4) diagnose any disease, optical deficiency or deformity, or visual or muscular  
1.15 anomaly of the visual system consisting of the human eye and its accessory or subordinate  
1.16 anatomical parts; or

1.17 (5) prescribe lenses, including plano or cosmetic contact lenses, or prisms, or ocular  
1.18 exercises for the correction or the relief of same; or

1.19 (6) employ or prescribe ocular exercises, orthoptics, or habilitative and rehabilitative  
1.20 therapeutic vision care; or

1.21 ~~(6)~~ (7) prescribe or administer legend drugs to aid in the diagnosis, cure, mitigation,  
1.22 prevention, treatment, or management of disease, deficiency, deformity, or abnormality  
1.23 of the human eye and adnexa included in the curricula of accredited schools or colleges

2.1 of optometry, and as limited by Minnesota statute and adopted rules by the Board of  
2.2 Optometry, or who holds oneself out as being able to do so.

2.3 (b) In the course of treatment, nothing in this section shall allow:

2.4 (1) legend drugs to be administered intravenously, intramuscularly, or by injection,  
2.5 except for treatment of anaphylaxis;

2.6 (2) invasive surgery including, but not limited to, surgery using lasers;

2.7 (3) Schedule II and III oral legend drugs and oral steroids to be administered or  
2.8 prescribed;

2.9 (4) oral antivirals to be prescribed or administered for more than ten days; or

2.10 (5) oral carbonic anhydrase inhibitors to be prescribed or administered for more  
2.11 than seven days.

2.12 Sec. 2. Minnesota Statutes 2012, section 148.56, is amended by adding a subdivision  
2.13 to read:

2.14 Subd. 5. **Scope of practice exemption.** Nothing in sections 148.52 to 148.62 shall  
2.15 prohibit the practice of a licensed or registered health care provider in Minnesota who is  
2.16 operating within the provider's scope of practice under Minnesota law.

2.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.