

**CHAPTER 129—H.F.No. 607**

*An act relating to health; changing provisions for optometrists; amending Minnesota Statutes 2012, section 148.56, subdivision 1, by adding a subdivision.*

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

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

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

- (1) advertise as an optometrist; or
- (2) employ any means, including the use of autorefractors or other automated testing devices, for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof; or
- (3) possess testing appliances for the purpose of the measurement of the powers of vision; or
- (4) diagnose any disease, optical deficiency or deformity, or visual or muscular anomaly of the visual system consisting of the human eye and its accessory or subordinate anatomical parts; or
- (5) prescribe lenses, including plano or cosmetic contact lenses, or prisms; ~~or ocular exercises~~ for the correction or the relief of same; or
- (6) employ or prescribe ocular exercises, orthoptics, or habilitative and rehabilitative therapeutic vision care; or
- ~~(6)~~ (7) prescribe or administer legend drugs to aid in the diagnosis, cure, mitigation, prevention, treatment, or management of disease, deficiency, deformity, or abnormality of the human eye and adnexa included in the curricula of accredited schools or colleges of optometry, and as limited by Minnesota statute and adopted rules by the Board of Optometry, or who holds oneself out as being able to do so.

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

- (1) legend drugs to be administered intravenously, intramuscularly, or by injection, except for treatment of anaphylaxis;
- (2) invasive surgery including, but not limited to, surgery using lasers;
- (3) Schedule II and III oral legend drugs and oral steroids to be administered or prescribed;
- (4) oral antivirals to be prescribed or administered for more than ten days; or
- (5) oral carbonic anhydrase inhibitors to be prescribed or administered for more than seven days.

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

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

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 22, 2013

Signed by the governor May 24, 2013, 2:59 p.m.