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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4799

03/11/2024 Authored by Bierman, Pelowski and Bakeberg The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health occupations; modifying limitations on prescribing and
1.3 administering certain drugs by optometrists; amending Minnesota Statutes 2022,
1.4 section 148.56, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2022, section 148.56, subdivision 1, is amended to read:

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

1.9 (1) advertise as an optometrist;

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

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

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

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

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

2.1 (7) prescribe or administer legend drugs to aid in the diagnosis, cure, mitigation,
2.2 prevention, treatment, or management of disease, deficiency, deformity, or abnormality of
2.3 the human eye and adnexa included in the curricula of accredited schools or colleges of
2.4 optometry, and as limited by Minnesota statute and adopted rules by the Board of Optometry,
2.5 or who holds oneself out as being able to do so.

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

2.7 (1) ~~legend drugs to be administered intravenously, intramuscularly, or by injection,~~
2.8 ~~except for treatment of anaphylaxis~~ intravitreal injections;

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

2.10 (3) Schedule II and III oral legend drugs ~~and oral steroids~~ to be administered or
2.11 prescribed; or

2.12 (4) ~~oral antivirals to be prescribed or administered for more than ten days; or steroids~~
2.13 to be prescribed or administered for more than 14 days without consultation with a physician.

2.14 (5) ~~oral carbonic anhydrase inhibitors to be prescribed or administered for more than~~
2.15 ~~seven days.~~