

ENROLLMENT(S)

(5)



COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-139

"Definition of Optometry Amendment Act of 1998"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-152 on first and second readings, March 17, 1998 and April 7, 1998, respectively. Following the signature of the Mayor on April 22, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-341 and published in the May 15, 1998, edition of the D.C. Register (Vol. 45 page 2975) and transmitted to Congress on May 19, 1998 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-139, effective July 24, 1998.



LINDA W. CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May	19,20,21,22
June	1,2,3,4,5,9,10,11,12,15,16,17,18,19,22,23,24,25
July	14,15,16,17,20,21,22,23

AN ACT

D.C. ACT 12-341

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 22, 1998

*Codification
District of
Columbia
Code
1999 Supp.*

To amend the District of Columbia Health Occupations Revision Act of 1985 to change the definition of optometry so that doctors of optometry may prescribe certain therapeutic medicines.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Definition of Optometry Amendment Act of 1998".

Sec. 2. The District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 2-3301.1 *et seq.*) is amended as follows:

(a) Section 102(10) (D.C. Code § 2-3301.2(10)) is amended to read as follows:

**Note, Section
2-3301.2**

"(10)(A) "Practice of optometry" means the application of the scientific principles of optometry in the examination of the human eye, its adnexa, appendages, or visual system, with or without the use of diagnostic pharmaceutical agents to prevent, diagnose, or treat defects or abnormal conditions; the prescription or use of lenses, prisms, orthoptics, vision training or therapy, low vision rehabilitation, therapeutic pharmaceutical agents, or prosthetic devices; or the application of any method, other than invasive surgery, necessary to prevent, diagnose, or treat any defects or abnormal conditions of the human eye, its adnexa, appendages, or visual system.

"(B) The Mayor shall issue rules identifying which, and under what circumstances, diagnostic and therapeutic pharmaceutical agents may be used by optometrists pursuant to this paragraph.

"(C) An individual licensed to practice optometry pursuant to this act may use diagnostic and therapeutic agents only if certified to do so by the Board of Optometry in accordance with the provisions of section 207 of this act.

"(D) Nothing in this paragraph shall be construed to authorize an individual licensed to practice optometry to use surgical lasers; to perform any surgery including cataract surgery or cryosurgery; or to perform radial keratotomy. For the purpose of this subparagraph, the term "surgery" shall not include punctal plugs, superficial foreign body removal, epilation, or dialation and irrigation.

ENROLLED ORIGINAL

"(E) Nothing in this paragraph shall be construed to authorize an individual licensed to practice optometry to administer or prescribe any oral systemic drug except for antibiotics, appropriate analgesics, antihistamines, non-steroidal anti-inflammatories, or medication for the emergency treatment of angle closure glaucoma; to administer or prescribe any injectable systemic drug except for an injection to counter an anaphylactic reaction; or to administer or prescribe any drug for any purpose other than that authorized by this paragraph. For the purposes of this subparagraph, antibiotics shall not include antiviral or antifungal agents.

"(F) Prior to initiating treatment for glaucoma, an optometrist shall consult with the patient's physician or other appropriate physician. The treatment of angle closure glaucoma by an optometrist shall be limited to the initiation of immediate emergency treatment.

"(G) Nothing in this paragraph shall be construed as preventing or restricting the practice, services, or activities of a licensed physician or as prohibiting an optician from providing eyeglasses or lenses on the prescription of a licensed physician or optometrist or a dealer from selling eyeglasses or lenses, provided that the optician or dealer does not represent by title or description of services that he or she is an optometrist."

(b) Section 207 (D.C. Code § 2-3302.7) is amended by adding a new subsection (g) to read as follows:

**Note, Section
2-3302.7**

"(g) The Board shall grant applications for certification to administer therapeutic pharmaceutical agents to applicants who demonstrate to the satisfaction of the Board that they have:

"(1) Been certified by the Board to use diagnostic pharmaceutical agents:

"(2) Successfully completed a Board-approved course in the use of therapeutic pharmaceutical agents as it relates to the practice of optometry, offered by an accredited institution of higher learning; and

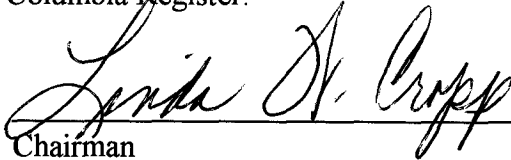
"(3) Passed an examination administered or approved by the Board on the use of therapeutic pharmaceutical agents."

Sec. 3. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

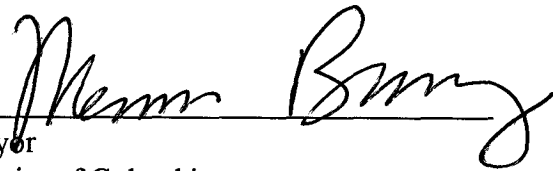
Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule

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Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: April 22, 1998



Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

ADOPTED FIRST READING, 3-17-98

VOICE VOTE _____

APPROVED

RECORDED VOTE ON REQUEST _____

ABSENT _____

ALLEN, CHAVOUS AND THOMAS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

April 9, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

ADOPTED FINAL READING, 4-7-98

VOICE VOTE _____

APPROVED

RECORDED VOTE ON REQUEST _____

ABSENT _____

ALL PRESENT

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

[Signature]
Secretary to the Council

April 9, 1998
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

VOICE VOTE _____

RECORDED VOTE ON REQUEST _____

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date