

**1977 Assembly Bill 281**

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**CHAPTER 280, Laws of 1977**

AN ACT to repeal and recreate 449.01 (1); and to create 449.07 (1) (fm), 449.17 and 449.19 of the statutes, relating to the definition of optometry, permitting the use of ocular pharmaceutical agents for diagnostic purposes and granting rule-making authority.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 449.01 (1) of the statutes is repealed and recreated to read:

449.01 (1) OPTOMETRY. (a) The practice of the profession of optometry is defined as:

1. The employment of any optometric means, including topical ocular diagnostic pharmaceutical agents under s. 449.17, to determine the visual efficiency of the human visual system, including refractive and functional abilities or preliminarily diagnose the presence of ocular disease or ocular manifestations of systematic disease and other departures from normal.

2. The diagnosis and treatment of the refractive and functional ability of the visual system and enhancement of visual performance by prescribing, furnishing, fitting or employing ophthalmic lenses, contact lenses, frames, aids or prosthetic materials or administering visual training, orthoptics, visual therapy or any other optometric means.

(b) The practice of the profession of optometry does not include surgery, medical treatment or the use of drugs for therapeutic purposes.

SECTION 2. 449.07 (1) (fm) of the statutes is created to read:

449.07 (1) (fm) Violates s. 449.17;

SECTION 3. 449.17 and 449.19 of the statutes are created to read:

**449.17 Use of pharmaceuticals.** (1) Subject to this section, topical ocular diagnostic pharmaceutical agents may be used by optometrists during the period from 6 months after the effective date of this act (1977) to July 1, 1982.

(2) Topical ocular diagnostic pharmaceutical agents may be used only by optometrists who have established a plan approved by the secretary after consultation with the examining board and the medical examining board for the referral of patients who experience adverse reactions from the application of such agents to appropriate medical services.

(3) Topical ocular diagnostic pharmaceutical agents may be used only by optometrists who successfully complete an examination conducted by the examining board on the subject of general and ocular pharmacology as it relates to optometry with particular emphasis on the use of topical ocular diagnostic pharmaceutical agents, including the treatment of any adverse reactions that may occur. The examination shall be prepared by the department in consultation with the examining board, the medical examining board and the pharmacy examining board. The department shall periodically review the validity, reliability and appropriateness of the examination.

(4) In addition to the requirements of sub. (3), optometrists who wish to use topical ocular diagnostic pharmaceutical agents must successfully complete 60 classroom hours of study in general and clinical pharmacology as it relates to optometry with particular emphasis on the use of topical ocular diagnostic pharmaceutical agents. At least 30 of the 60 classroom hours of study shall be in clinical pharmacology and shall emphasize the systemic effects of and reactions to pharmaceutical agents, including the treatment of any adverse reactions that may occur. The course of study shall be offered by a institution approved by the secretary and accredited by a regional or professional accrediting organization which is recognized by the council on post-secondary accreditation and the U.S. office of education.

(5) The secretary shall, after consultation with the examining board, the medical examining board and the pharmacy examining board, promulgate rules specifying the topical ocular diagnostic pharmaceutical agents which optometrists may utilize in this state.

(6) Any optometrist using topical ocular diagnostic pharmaceutical agents shall report on the use of such agents, including any problems, to the secretary and the examining board.

(7) On January 1, 1982, the department shall report to the legislature on the use of topical ocular diagnostic pharmaceutical agents under this section. The report shall include, but not be limited to, the health benefits and problems involved in such use and whether or not any individual is known to have suffered any physical or psychological reaction to such an agent and the severity of the reaction.

(8) No optometrist may be reimbursed under s. 49.46 (2) (a) 3 for any increase in charges or separate charge which is attributable to the use of topical ocular diagnostic pharmaceutical agents.

**449.19 Referral to other medical specialists.** If, during the course of examining a person, an optometrist determines the possibility of the existence of a pathological condition, the optometrist shall so advise the person and shall refer the person to an appropriate medical specialist for further evaluation.

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