6

7

8

9

LRB-3569/en SRM:nwn:...

## 2009 ASSEMBLY BILL 591

1	AN ACT <i>to renumber and amend</i> 449.18 (6) (am) 2.; <i>to amend</i> 449.01 (1) (a) 2.
2	c. and 961.39 (intro.), (1), (2) and (4); and <i>to create</i> 449.18 (6) (am) 2. b. of the
3	statutes; relating to: authorizing certain optometrists to dispense contact
4	lenses that deliver a therapeutic pharmaceutical agent.

## Analysis by the Legislative Reference Bureau

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

- **SECTION 1.** 449.01 (1) (a) 2. c. of the statutes is amended to read:
  - 449.01 **(1)** (a) 2. c. Prescribing or administering drugs for ocular therapeutic purposes, dispensing contact lenses that deliver a therapeutic pharmaceutical agent under s. 449.18 (6) (am) 2. b., or removing superficial foreign bodies from the eye or an appendage to the eye under s. 449.18.
- 10 **SECTION 2.** 449.18 (6) (am) 2. of the statutes is renumbered 449.18 (6) (am) 2. (intro.) and amended to read:

## **ASSEMBLY BILL 591**

449.18 <b>(6)</b> (am) 2. (intro.) Dispense, as defined in s. 450.01 (7), other than by
prescribing or administering. This subdivision does not prohibit the optometrist
from providing doing any of the following:
a. Providing a complimentary sample of a therapeutic pharmaceutical agent
to a patient to whom the optometrist has rendered therapeutic care.
<b>SECTION 3.</b> 449.18 (6) (am) 2. b. of the statutes is created to read:
449.18 (6) (am) 2. b. Dispensing a contact lens that also delivers a therapeutic
pharmaceutical agent, if the optometrist is authorized to prescribe or administer the
therapeutic pharmaceutical agent under the rules promulgated under par. (cm).
SECTION 4. 961.39 (intro.), (1), (2) and (4) of the statutes are amended to read:
<b>961.39 Limitations on optometrists.</b> (intro.) An optometrist who is allowed
under s. 449.18 (1) to use therapeutic pharmaceutical agents and under s. 449.18 (6)
(am) 2. b. to dispense a contact lens that delivers a therapeutic pharmaceutical
agent:
(1) May not prescribe, dispense, or administer a controlled substance included
in schedule I or II.
(2) May prescribe, dispense, or administer only those controlled substances
included in schedules III, IV, and V that are permitted for prescription or
administration under the rules promulgated under s. 449.18 (6) (cm).
(4) May not dispense other than by prescribing or administering as provided
<u>under s. 449.18 (6) (am) 2</u> .

(END)