

HOUSE No. 1169

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Haddad

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act ensuring consumer choice and equal access to eye care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Jerald A. Parisella</i>	<i>6th Essex</i>

<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Bud Williams</i>	<i>11th Hampden</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Adrian Madaro</i>	<i>1st Suffolk</i>
<i>Joseph F. Wagner</i>	<i>8th Hampden</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>

HOUSE No. 1169

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 1169) of Patricia A. Haddad and others for legislation to allow optometrists to treat glaucoma and ocular abnormalities of the human eye and the adjoining and adjacent tissue. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act ensuring consumer choice and equal access to eye care.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Whereas, 49 other states have enacted laws authorizing optometrists to treat glaucoma
2 thereby providing patients the right to choose their care provider,

3 Whereas, Massachusetts is the only state where patients are currently denied the right to
4 choose optometrists for their glaucoma care,

5 Whereas, in other states patients with glaucoma have been successfully diagnosed and
6 treated by optometrists for over 40 years,

7 Whereas, the U.S. Department of Justice and the Federal Trade Commission in 2016
8 strongly recommended the Massachusetts General Court update its antiquated glaucoma laws

9 Whereas, patients of optometrists are offered affordable and convenient eye care for
10 glaucoma, and the treatment of eye related infection,

11 Whereas, the national standard of care is to allow Optometrists to prescribe eye related
12 oral anti-infective medications.

13 Whereas, in Massachusetts there are two optometric colleges, The New England College
14 of Optometry and the Massachusetts College of Pharmacy and Health Sciences/School of
15 Optometry, that are educating and training students who then must leave Massachusetts in order
16 to treat glaucoma and prescribe oral anti-infective medications.

17 SECTION 1: Notwithstanding any general laws to the contrary, Massachusetts
18 optometrists licensed under chapter 94C shall have the authority to treat glaucoma and ocular
19 abnormalities of the human eye and the adjoining and adjacent tissue, as well as prescribe all
20 necessary eye related medications including all oral anti-infective medications.

21 Nothing in this section shall permit optometric utilization of or prescription of (i)
22 therapeutic pharmaceutical agents for the treatment of systemic diseases; (ii) invasive surgical
23 procedures, (iii) pharmaceutical agents administered by sub dermal injection, intramuscular
24 injection, intravenous injection, subcutaneous injection or retro bulbar injection, (iv) opioid
25 medications.

26 Within 90 days of the effective date of this act, the Board of Registration in Optometry is
27 hereby directed to determine all professional and educational requirements necessary to provide
28 optometric treatment of glaucoma and the prescription of all oral anti-infective medications.

29 Prior to any Massachusetts licensed optometrist utilizing said glaucoma medications and
30 all oral anti-infective medications, an optometrist must complete an educational program
31 administered by the Massachusetts Society of Optometrists which shall be approved by an
32 accredited college of optometry or medicine and shall otherwise meet the guidelines and

33 requirements of the board of registration of optometry. The Board of Registration in Optometry
34 shall provide, to the Department of Public Health and to each successful applicant, a certificate
35 of qualification in the utilization and prescription of all therapeutic pharmaceutical agents
36 necessary to treat glaucoma and all oral anti-infective medications.

37 Within 90 days after the effective date of this act, the Department of Public Health and
38 the Board of Registration in Optometry shall promulgate the rules and regulations necessary to
39 effectuate the purpose of this act.