

SENATE No. 1190

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>2/1/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/2/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/2/2017</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/3/2017</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>2/3/2017</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>5/18/2017</i>

SENATE No. 1190

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1190) of Sal N. DiDomenico, William N. Brownsberger, Barbara A. L'Italien, Thomas M. Stanley and other members of the General Court for legislation to ensure consumer choice and equal access to eye care. 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 Be it enacted by the Senate and House of Representatives in General Court assembled,
18 and by the authority of the same, as follows:

19 Treatment of Glaucoma and other eye related disorders

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

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

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

32 Prior to any Massachusetts licensed optometrist utilizing said glaucoma medications and
33 all oral anti-infective medications, an optometrist must complete an educational program
34 administered by the Massachusetts Society of Optometrists which shall be approved by an
35 accredited college of optometry or medicine and shall otherwise meet the guidelines and
36 requirements of the board of registration of optometry. The Board of Registration in Optometry
37 shall provide, to the Department of Public Health and to each successful applicant, a certificate
38 of qualification in the utilization and prescription of all therapeutic pharmaceutical agents
39 necessary to treat glaucoma and all oral anti-infective medications.

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