

1 AN ACT concerning optometry.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Optometric Practice Act of 1987
5 is amended by changing Section 15.1 as follows:

6 (225 ILCS 80/15.1)

7 (Section scheduled to be repealed on January 1, 2007)

8 Sec. 15.1. Diagnostic and therapeutic certification.

9 (a) Any licensed optometrist may apply to the
10 Department, in the form the Department may prescribe, for a
11 certificate to use diagnostic topical ocular pharmaceutical
12 agents and the Department shall certify the applicant if:

13 (1) the applicant has received appropriate training
14 and certification from a properly accredited institution
15 of higher learning for the certificate; and

16 (2) the applicant has demonstrated training and
17 competence to use diagnostic topical ocular
18 pharmaceutical agents as required by the Board pursuant
19 to rule or regulation approved by the Board and adopted
20 by the Department.

21 A certificate to use topical ocular pharmaceutical agents
22 for diagnostic purposes previously issued by the Department
23 that is current and valid on the effective date of this
24 amendatory Act of 1995 is valid until its expiration date and
25 entitles the holder of the certificate to use diagnostic
26 topical ocular pharmaceutical agents as provided in this Act.

27 (b) Any licensed optometrist may apply to the
28 Department, in the form the Department may prescribe, for a
29 certificate to use therapeutic ocular pharmaceutical agents
30 and the Department shall certify the applicant if:

31 (1) the applicant has received a certificate to use

1 diagnostic topical ocular pharmaceutical agents under
2 subsection (a);

3 (2) the applicant has received appropriate training
4 and certification from a properly accredited institution
5 of higher learning for the certificate; and

6 (3) the applicant has demonstrated training and
7 competence to use therapeutic ocular pharmaceutical
8 agents as required by the Board pursuant to rule or
9 regulation approved by the Board and adopted by the
10 Department.

11 All applicants for license renewal after January 1, 2030
12 ~~2006~~ must apply for and maintain certification to use
13 therapeutic ocular pharmaceutical agents.

14 (c) For purposes of the Act, "diagnostic topical ocular
15 pharmaceutical agents" means anesthetics, mydriatics,
16 cycloplegics, and miotics used for diagnostic purposes as
17 defined by the Board pursuant to rule approved by the Board
18 and adopted by the Department.

19 (d) For the purposes of the Act, "therapeutic ocular
20 pharmaceutical agents" means the following when used for
21 diagnostic or therapeutic purposes: topical anti-infective
22 agents, topical anti-allergy agents, topical anti-glaucoma
23 agents, topical anti-inflammatory agents, topical anesthetic
24 agents, over the counter agents, non-narcotic oral analgesic
25 agents, and mydriatic reversing agents.

26 (e) A licensed optometrist who is therapeutically
27 certified may remove superficial foreign bodies from the
28 human eye and adnexa.

29 (e-5) A licensed optometrist who is therapeutically
30 certified may give orders for patient care related to the use
31 of therapeutic ocular pharmaceutical agents to a nurse
32 licensed to practice under Illinois law.

33 (f) An optometrist's certificate to use diagnostic
34 topical ocular pharmaceutical agents shall be revoked or

1 suspended by the Department upon recommendation of the Board
2 based on the misuse of any diagnostic topical ocular
3 pharmaceutical agent.

4 (g) An optometrist's certificate to use therapeutic
5 ocular pharmaceutical agents shall be revoked or suspended by
6 the Department upon recommendation of the Board based on the
7 misuse of any therapeutic ocular pharmaceutical agent.

8 (h) An optometrist's license shall be revoked or
9 suspended by the Department upon recommendation of the Board
10 based upon either of the following causes:

11 (1) grave or repeated misuse of any diagnostic or
12 therapeutic ocular pharmaceutical agent; and

13 (2) the use of any agent or procedure in the course
14 of optometric practice by an optometrist not properly
15 certified under this Section.

16 (i) The provisions of Sections 26.2, 26.3, 26.5, 26.10,
17 26.11, 26.14, and 26.15 of this Act shall apply to all
18 disciplinary proceedings brought under this Section.

19 (j) The Director may temporarily suspend a certificate
20 to use diagnostic topical ocular pharmaceuticals or a
21 certificate to use therapeutic ocular pharmaceuticals or a
22 license to practice optometry, without a hearing,
23 simultaneously with the institution of proceedings for a
24 hearing based upon a violation of subsection (f), (g), or (h)
25 of this Section, if the Director finds that evidence in his
26 or her possession indicates that the continued use of
27 diagnostic topical ocular pharmaceuticals, or therapeutic
28 ocular pharmaceuticals, or continued practice of optometry
29 would constitute an immediate danger to the public. In the
30 event that the Director temporarily suspends a certificate to
31 use diagnostic topical ocular pharmaceuticals, therapeutic
32 ocular pharmaceuticals, or a license to practice optometry
33 without a hearing, a hearing by the Board shall be commenced
34 within 15 days after suspension has occurred, and concluded

1 without appreciable delay.

2 (k) The Director of the Department of Professional
3 Regulation shall notify the Director of the Department of
4 Public Health as to the categories of ocular pharmaceutical
5 agents permitted for use by an optometrist. The Director of
6 the Department of Public Health shall in turn notify every
7 licensed pharmacist in the State of the categories of ocular
8 pharmaceutical agents that can be utilized and prescribed by
9 an optometrist.

10 (l) Nothing in this Act prohibits the use of diagnostic
11 topical ocular pharmaceutical agents or therapeutic ocular
12 pharmaceutical agents in the practice of optometry by
13 optometrists certified for such use under this Section.

14 (Source: P.A. 90-73, eff. 7-8-97; 91-141, eff. 7-16-99.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.