

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7 (Section scheduled to be repealed on January 1, 2007)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