

## **BILL ANALYSIS**

Senate Research Center  
76R1812 SMH-F

S.B. 390  
By: Madla  
Health Services  
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As Filed

### **DIGEST**

Currently, there is no cure for glaucoma, and if left untreated, this disease causes blindness. One of every 30 Texans over the age of 40 has untreated glaucoma. In Texas, there are only 73 counties with resident ophthalmologists and 142 counties with resident optometrists. Therapeutic optometrists must pass a nationally certified examination that tests their knowledge of the diagnosis and treatment of glaucoma. Forty-two states in the United States have certified their optometrists, based on the above educational system and national examination, to treat glaucoma. Additionally, in 1996, the Texas Department of Health requested the Attorney General's office to interpret the definition of surgery under the Texas Optometry Act. The Attorney General found the definition of surgery to comport with its ordinary meaning. S.B. 390 would allow therapeutic optometrists to treat glaucoma, and would require in order to do so, to receive additional education, examination, and other certain requirements. S.B. 390 would require the Attorney General's interpretation of the word surgery.

### **PURPOSE**

As proposed, S.B. 390 regulates the practice of therapeutic optometry.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to Texas Optometry Board in SECTION 1 (Section 1.03(e), V.T.C.S.) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 1.03(b) and (d)-(g), Article 4552-1.03, V.T.C.S., (Texas Optometry Act), as follows:

(b) Authorizes a therapeutic optometrist to administer and prescribe any appropriate medication, device, or nonsurgical procedure for diagnosing and treating diseases of the human vision system, including the eye and adnexa. Deletes text on ophthalmic devices, over-the-counter oral medications, and topical pharmaceutical agents. Makes a conforming change.

(d) Prohibits a therapeutic optometrist from administering or prescribing oral or parenteral medications or treating glaucoma without holding a certificate issued by the Texas Optometry Board (board). Requires a therapeutic optometrist to complete certain instruction and pass an examination, in order to obtain a certificate.

(e) Requires the board to adopt rules setting forth the specific classifications of pharmaceutical agents. Requires the board, by rule, to specify the professional designation of a therapeutic optometrist certified under Subsection (d) of this section. Deletes text regarding a technical advisory committee. Makes a conforming change.

(f) Makes a conforming change.

SECTION 2. Amends Section 1.02, Article 4552-1.02, V.T.C.S., by adding Subdivision (11), to define "surgery" and "surgical procedure."

SECTION 3. Emergency clause.  
Effective date: upon passage.