WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997

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ENROLLED

Committee Substitute for
SENATE BILL NO. 524

(By Senators Bailey, Cherry, Doty)

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PASSED April 8, 1997

In Effect NINETY DAYS FROM PASSAGE
ENROLLED

COMMITTEE SUBSTITUTE FOR

Senate Bill No. 524

(SENATORS BAILEY, CHAFIN AND DEEM, original sponsors)

[Passed April 8, 1997; in effect ninety days from passage.]

AN ACT to amend article eight, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto two new sections, designated section two-a and two-b, relating to expanding the prescriptive authority for optometrists; formulary of drugs to be prescribed; eligibility and certification for prescriptive authority; fees and administration; and proposal of legislative rules.

Be it enacted by the Legislature of West Virginia:

That article eight, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto two new sections, designated section two-a and two-b, to read as follows:
ARTICLE 8. OPTOMETRISTS.

§30-8-2a. Prescriptive authority.

Notwithstanding the provisions of section two of this article, the board of optometry may grant qualified optometrists prescriptive authority for oral antibiotics, oral non-steroidal anti-inflammatory drugs, and oral carbonic anhydrase inhibitors: Provided, That the board has proposed rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code, defining a certification process for individual optometrists that provide standards for education, training and adequate insurance coverage determined by the board to be conditions precedent to certification authorizing the individual optometrist to prescribe drugs excluded pursuant to the provisions of section two of this article but authorized by this section, and the optometrist desiring to employ the use of these pharmaceutical agents has met the necessary qualifications as established by rule.

§30-8-2b. Expanded prescriptive authority.

Notwithstanding the provisions of section two of this article, on or before the thirty-first day of December, one thousand nine hundred ninety-seven, the board of optometry shall propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code, defining a certification process and drug formulary which is authorized by this section, except that no emergency rules may be proposed. The board shall provide a formulary classifying those categories of oral drugs rational to the diagnosis and treatment of conditions or diseases of the human eye and its appendages, which may be prescribed by optometrists from Schedules III, IV and V of the Uniform Controlled Substances Act, article two, chapter sixty-a of this code. The board shall consult with other appropriate boards, including the board of pharmacy, in the development of the formulary. The rules shall further provide for individual certification of optometrists for this expanded scope of prescriptive authority. The rules shall provide standards for education and training determined by the board to be conditions
precedent to individual certification authorizing an optometrist to prescribe drugs excluded pursuant to the provisions of section two of this article and included in a drug formulary to be adopted by the board; procedures for certification by the board of education and training courses; procedure standards for certification and recertification of individual optometrists for an expanded scope of practice prescriptive authority, which shall include a continuing education requirement; administrative fees necessary for the certification and recertification; procedures and standards for certification and training courses; procedures and standards for determining successful completion of education and training; and standards to ensure adequate insurance coverage, as well as compliance with the provisions of this section.
That Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originate in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ...................... this the ......................

day of ......................, 1997.

Governor