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SFA**BILL ANALYSIS**

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House Bill 5552 (Substitute H-6 as reported without amendment)

Sponsor: Representative Sue Tabor

House Committee: Health Policy

Senate Committee: Health Policy

CONTENT

The bill would amend Part 174 of the Public Health Code, which regulates the practice of optometry, to expand the types of pharmaceutical agents that optometrists may use, by including certain orally administered prescription drugs; allow an optometrist to diagnose glaucoma and begin treatment without consulting an ophthalmologist; and increase continuing education requirements for optometrists.

Under Part 174, the practice of optometry does not include the performance of invasive procedures, but does include the use of "therapeutic pharmaceutical agents" to correct, remedy, or relieve a defect or abnormal condition of the anterior segment of the human eye. The practice of optometry also includes the use of "diagnostic pharmaceutical agents" (by an optometrist who meets certain certification requirements) for the examination of the human eye for the purpose of ascertaining a departure from the normal, measuring of powers of vision, and adapting lenses for the aid of vision.

Currently, "diagnostic pharmaceutical agent" means a commercially prepared topical anesthetic (Proparacaine HCL 0.5%) or commercially prepared cycloplegic/mydriatic (Tropicamide in a strength of not more than 1%). The bill would define "diagnostic pharmaceutical agent", instead, as a topically administered prescription drug or other topically administered drug used for the purpose of investigating, analyzing, and diagnosing a defect or abnormal condition of the human eye or ocular adnexa. The term "therapeutic pharmaceutical agent" presently includes a topically administered prescription drug or other topically administered drug used for the purpose of correcting, remedying, or relieving a defect or abnormal condition of the anterior segment of the human eye. Under the bill, a therapeutic pharmaceutical agent also would include a topically administered prescription drug or other topically administered drug used to investigate, analyze, and diagnose a defect or abnormal condition of the anterior segment of the human eye. Further, the term would include an orally or topically administered antiglaucoma drug. (Currently, it includes a topically administered antiglaucoma drug only.)

The bill also would revise the definitions of "drug" and "prescription drug". Currently, with respect to the practice of optometry, the terms do not include controlled substances. Under the bill, with respect to the practice of optometry, "drug" and "prescription drug" would not include a Schedule 2 controlled substance or an oral cortical steroid, but would include Schedule 3, 4, and 5 controlled substances as well as dihydrocodeinone combination drugs.

MCL 333.17401 et al.

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 11-18-02

Fiscal Analyst: Maria Tyszkiewicz