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H.241

Introduced by Representatives Birong of Vergennes, Bartley of Fairfax,  
Bluemle of Burlington, Bosch of Clarendon, Branagan of  
Georgia, Burditt of West Rutland, Burkhardt of South  
Burlington, Canfield of Fair Haven, Cole of Hartford, Critchlow  
of Colchester, Feltus of Lyndon, Galfetti of Barre Town, Greer  
of Bennington, Gregoire of Fairfield, Harrison of Chittenden,  
Harvey of Castleton, Higley of Lowell, Hooper of Randolph,  
Howland of Rutland Town, Kascenska of Burke, Kleppner of  
Burlington, Labor of Morgan, Laroche of Franklin, Lipsky of  
Stowe, Luneau of St. Albans City, Maguire of Rutland City,  
Malay of Pittsford, Marcotte of Coventry, Morgan, L. of  
Milton, Morgan, M. of Milton, Morris of Springfield, Morrissey  
of Bennington, Mrowicki of Putney, Nelson of Derby, Noyes of  
Wolcott, Oliver of Sheldon, Olson of Starksboro, Page of  
Newport City, Pritchard of Pawlet, Quimby of Lyndon, Sibia  
of Dover, Surprenant of Barnard, Sweeney of Shelburne, Toof  
of St. Albans Town, Wells of Brownington, White of Bethel,  
and Winter of Ludlow

Referred to Committee on  
Date:

1 Subject: Professions and occupations; Office of Professional Regulation;  
2 health care professionals; optometrists

3 Statement of purpose of bill as introduced: This bill proposes to revise and  
4 further define the scope of practice for optometrists. It would also create an  
5 advanced therapeutic procedures specialty that would allow qualified  
6 optometrists to perform certain advanced therapeutic procedures.

7 An act relating to amendments to the scope of practice for optometrists

8 It is hereby enacted by the General Assembly of the State of Vermont:

9 Sec. 1. 26 V.S.A. § 1703 is amended to read:

10 § 1703. DEFINITIONS

11 As used in this chapter:

12 (1) “Board” means the State Board of Optometry.

13 (2)(A) The “practice of optometry” means any one or combination of  
14 the following practices:

15 ~~(A)(i)~~ Examining the human eyes and visual system for purposes of:

16 ~~(i)(I)~~ diagnosing refractive and functional ability; or

17 ~~(ii)(II)~~ diagnosing the presence of eye and adnexa disease or

18 injury, treating the disease or injury with the appropriate therapeutic

19 pharmaceutical agents and procedures in accordance with this chapter, and

20 making referrals to the appropriate health care provider when warranted.

1           ~~(B)~~(ii) Diagnosing and correcting anomalies of the refractive and  
2 functional ability of the visual system and the enhancement of visual  
3 performance including the following:

4           ~~(i)~~(I) prescribing and using ophthalmic lenses, prisms,  
5 autorefractor or other automatic testing devices, frames, ophthalmic aids, and  
6 prosthetic materials as consistent with the health of the eye;

7           ~~(ii)~~(II) prescribing and employing contact lenses; and

8           ~~(iii)~~(III) administering visual training, vision therapy, orthoptics,  
9 and pleoptics.

10          ~~(C)~~(iii) Prescribing and administering appropriate therapeutic  
11 pharmaceutical agents, as defined in this section, for the diagnosis,  
12 management, and treatment of the eye and adnexa.

13          ~~(D)~~(iv) Removing superficial foreign bodies from the eye and  
14 adnexa; epilating the eyelashes, including by electrolysis; and punctal dilation,  
15 lacrimal irrigation, and punctal plugs insertion.

16          ~~(E)~~(v) Managing the following types of glaucoma in patients who are  
17 16 years of age or older:

18           ~~(i)~~(I) adult primary open angle glaucoma;

19           ~~(ii)~~(II) exfoliative glaucoma;

20           ~~(iii)~~(III) pigmentary glaucoma;

21           ~~(iv)~~(IV) low tension glaucoma;

1                   ~~(v)~~(V) inflammatory (uveitic) glaucoma; and  
2                   ~~(vi)~~(VI) emergency treatment of angle closure glaucoma.

3                   (vi) For an optometrist holding an advanced therapeutic  
4                   procedures specialty issued pursuant to subchapter 5 of this chapter,  
5                   performing the following advanced therapeutic procedures:

6                   (I) surgery to remove lesions from the eye and adnexa and the  
7                   accompanied restoration of tissue, including only the following:

8                   (aa) excision and repair of nonrecurrent chalazia;

9                   (bb) excision and biopsy of nonrecurrent lesions of the  
10                  adnexa without characteristics or obvious signs of malignancy, excluding any  
11                  lesion involving the eyelid margin, involving the lacrimal supply or drainage  
12                  systems, deeper than the orbicularis muscle, or larger than five millimeters in  
13                  diameter;

14                  (cc) closure of wounds resulting from removal of a lesion;

15                  (dd) repair of an eyelid laceration not larger than 2.5  
16                  centimeters, not deeper than the orbicularis muscle and not involving the  
17                  eyelid margin or lacrimal drainage structures; and

18                  (ee) corneal crosslinking;

19                  (II) the following laser procedures:

20                  (aa) laser capsulotomy;

21                  (bb) laser peripheral iridotomy; and



1 treatment, or mitigation of abnormal conditions and pathology of the human  
2 eye or its adnexa.

3 (B) “Therapeutic pharmaceutical agent” does not include:

4 (i) any drug or other substance that must be administered by  
5 intraocular injection or intraocular implementation, except as authorized by  
6 subdivision (2)(A)(vi)(III) of this section for an optometrist holding an  
7 advanced therapeutic procedures specialty issued pursuant to subchapter 5 of  
8 this chapter; or

9 (ii) any drug or other substance that is prohibited under subsection  
10 1720(b) of this chapter.

11 Sec. 2. 26 V.S.A. § 1716a is amended to read:

12 § 1716a. RENEWAL

13 (a) Licenses shall be renewed every two years upon payment of the  
14 required fee, provided that the person applying for renewal completes at least  
15 40 hours of continuing education, approved by the Board, during the preceding  
16 two-year period and holds a current cardiopulmonary resuscitation  
17 certification.

18 (b) Licensees holding an advanced therapeutic procedures specialty  
19 pursuant to subchapter 5 of this chapter shall, during each two-year licensure  
20 period, complete an additional five hours of continuing education, approved by  
21 the Board, in the advanced procedures.

1 Sec. 3. 26 V.S.A. § 1720 is added to read:

2 § 1720. PROHIBITED PRACTICES

3 (a) An optometrist shall not perform any ophthalmic surgeries, with or  
4 without the use of lasers, or injection procedures, other than those set forth in  
5 subdivision 1703(2)(A)(vi) of this chapter. This prohibition includes the  
6 following procedures, which an optometrist is prohibited from performing:

7 (1) retinal laser procedures, laser-assisted in situ keratomileusis  
8 (LASIK), photorefractive keratectomy, laser epithelial keratomileusis, or any  
9 forms of refractive surgery;

10 (2) penetrating keratoplasty, corneal transplant, or lamellar keratoplasty;

11 (3) the administration of general anesthesia;

12 (4) surgery done with general anesthesia;

13 (5) laser or nonlaser injection in the posterior or vitreous chamber of the  
14 eye to treat any macular or retinal disease;

15 (6) surgery related to removal of the eye or adnexa, including the  
16 eyeball, from a living human being;

17 (7) surgery requiring full-thickness incision or excision of the cornea or  
18 sclera other than paracentesis in an emergency situation requiring immediate  
19 reduction of the pressure inside the eye;

20 (8) surgery requiring incision of the iris and ciliary body, including iris  
21 diathermy or cryotherapy;

- 1           (9) surgery requiring the incision or removal of the vitreous;
- 2           (10) surgery requiring incision of the retina;
- 3           (11) surgical extraction of the crystalline lens;
- 4           (12) surgical intraocular lens implants;
- 5           (13) incisional or excisional surgery of the extraocular muscles;
- 6           (14) surgery of the eyelid for suspected malignancies, for cosmetic  
7 purposes, or for cosmetic or mechanical repair of blepharochalasis, ptosis, and  
8 tarsorrhaphy;
- 9           (15) surgery for the removal of lesions involving the eyelid margin,  
10 lacrima supply, or drainage systems;
- 11           (16) repair of an eyelid laceration larger than 2.5 centimeters, deeper  
12 than the orbicularis muscle, or involving the eyelid margin or lacrima drainage  
13 structures;
- 14           (17) surgery of the bony orbit, including orbital implants;
- 15           (18) incisional or excisional surgery of the lacrima system other than  
16 probing or related procedures;
- 17           (19) surgery requiring full-thickness conjunctivoplasty with graft or  
18 flap;
- 19           (20) pterygium surgery;
- 20           (21) ionizing radiation;
- 21           (22) intraocular injections penetrating the globe; and



1 set forth in subdivision 1703(2)(A)(vi) of this chapter. The Board may grant  
2 an advanced therapeutic procedures specialty to an applicant who:

3 (1) is licensed as an optometrist pursuant to subchapter 3 of this chapter;

4 (2) meets the applicable requirements for education and demonstrated  
5 competency set forth in subsections (b) and (c) of this section; and

6 (3) has completed the examination requirements set forth in subsection  
7 (d) of this section.

8 (b) Educational requirements.

9 (1) In order to obtain an advanced therapeutic procedures specialty, an  
10 optometrist who graduated from an optometric school or college prior to 2019  
11 shall have completed a postgraduate course sponsored by an organization  
12 approved by the Board of Optometry that had a minimum duration of 32 hours  
13 and included the following didactic classroom instruction:

14 (A) laser physics, hazards, and safety;

15 (B) biophysics of lasers;

16 (C) laser application in clinical optometry;

17 (D) laser-tissue interactions;

18 (E) laser indications, contraindications, and potential complications;

19 (F) gonioscopy;

20 (G) laser therapy for open-angle glaucoma;

21 (H) laser therapy for angle closure glaucoma;

- 1           (I) posterior capsulotomy;
- 2           (J) common complications involving lids, lashes, and the lacrimal  
3 system;
- 4           (K) medicolegal aspects of anterior segment procedures;
- 5           (L) peripheral iridotomy;
- 6           (M) laser trabeculoplasty;
- 7           (N) minor surgical procedures;
- 8           (O) overview of surgical instruments, asepsis, and occupational  
9 safety and health considerations;
- 10          (P) surgical anatomy of the eyelids;
- 11          (Q) emergency surgical procedures;
- 12          (R) chalazion management;
- 13          (S) techniques for and complications with local anesthesia;
- 14          (T) anaphylaxis and other emergencies that may occur in an office  
15 setting;
- 16          (U) radiofrequency surgery;
- 17          (V) postoperative wound care; and
- 18          (W) clinical or laboratory experience that includes both video  
19 demonstration and in vitro observation or participation.

1           (2) An optometrist who graduated from an optometric school or college  
2           in 2019 or later shall not be required to complete additional postgraduate  
3           coursework in order to obtain an advanced therapeutic procedures specialty.

4           (c) Preceptorship requirements; competency demonstration.

5           (1) In order to demonstrate competency for an advanced therapeutic  
6           procedures specialty, an optometrist shall complete a preceptorship during  
7           which the optometrist gains at least eight hours of clinical training that is  
8           supervised by a preceptor and demonstrates clinical proficiency with hands-on  
9           experience performing the following procedures on live, human patients:

10           (A) at least two laser trabeculoplasties;

11           (B) at least two posterior capsulotomies;

12           (C) at least two laser peripheral iridotomies;

13           (D) at least two chalazion excisions;

14           (E) at least two chalazion intralesional injections; and

15           (F) at least two excisions or drainages of an authorized lesion of two  
16           millimeters or greater in size.

17           (2) The preceptor shall be either:

18           (A) an optometrist with a substantially similar scope of practice who  
19           has been licensed in Vermont or any other U.S. jurisdiction to provide the  
20           advanced procedures set forth in subdivision 1703(2)(A)(vi) of this chapter for  
21           at least three years; or

1           (B) an ophthalmologist.

2           (3) The preceptorship shall involve direct and in-person supervision of  
3 the optometrist by the preceptor.

4           (4) The preceptorship shall take place in a state in which the preceptor is  
5 licensed and authorized to perform the advanced procedures.

6           (5) The preceptor shall certify that the optometrist has competently  
7 completed the required procedures and provide a log of the completed  
8 procedures to the Board.

9           (d) Examination requirements. The applicant shall successfully pass  
10 written and clinical examinations administered by the National Board of  
11 Examiners in Optometry (NBEO), including the NBEO Injections Skill  
12 Examination (ISE), the NBEO Laser and Surgical Procedures Examination  
13 (LSPE), and any other examination required by the Board by rule.

14           (e) Advanced therapeutic procedures specialty by endorsement.

15           (1) The Board may issue an advanced therapeutic procedures specialty  
16 to an applicant who is licensed and in good standing in another U.S.  
17 jurisdiction and who:

18           (A) has an expanded scope of practice that is substantially equivalent  
19 to or broader than the expanded scope of practice permitted by this subchapter;  
20 and

1           (B) has been in good standing in the expanded scope of practice in  
2           the other jurisdiction for at least three years.

3           (2) An optometrist whose advanced therapeutic procedures specialty  
4           was issued by endorsement pursuant to this subsection may serve as a  
5           preceptor in this State.

6           § 1725. REPORTING REQUIREMENTS

7           An optometrist shall report any adverse event related to an advanced  
8           procedure within 30 days following the event.

9           Sec. 5. 26 V.S.A. § 1727 is redesignated to read:

10          § ~~1727~~ 1705. EXPIRATION DATE

11          Sec. 6. EFFECTIVE DATE

12          This act shall take effect on January 1, 2027.