

## May 2008 Newsletter

Ohio State Board of Optometry  
77 South High Street, 16<sup>th</sup> Floor, Columbus, OH 43215-6108  
Phone: (614)466-5115 • Fax: (614)644-3937 • Toll Free: 1-888-565-3044  
E-Mail: [Optometry.Board@exchange.state.oh.us](mailto:Optometry.Board@exchange.state.oh.us) • Website: [www.optometry.ohio.gov](http://www.optometry.ohio.gov)

### **BOARD STAFF**

The current members of the Ohio State Board of Optometry are Beth Workman, O.D., Board President, Rhonda Riles, O.D., Board Secretary and Board Members Larry Barger, O.D., Gary Hyde, O.D., Dennis Roark, O.D., and Patricia Scharf. These individuals, along with the Board staff, have been very busy this past year especially since the introduction and passage of the optometry scope bill. House Bill 149 was introduced in the legislature on March 12, 2007 and after numerous hearings, meetings, debates, and testimony the new scope bill was signed by the Governor on December 21, 2007. Most of the changes became effective on March 25, 2008. You can view a summary of this bill on the Board's website at [www.optometry.ohio.gov](http://www.optometry.ohio.gov) where there is also a link to view the entire document.

### **UPDATED RULES**

The Board has just completed the mandatory five year review of all the administrative rules in addition to creating three new rules to deal with recent legislative changes. The three new rules deal with criminal background checks of all new applicants, prescribing controlled substances for family members and self, as well as the appropriate Schedule III controlled substances to be used in the practice of optometry. The complete listing of the proposed amended, rescinded, and new rules can be viewed at [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us). A Public Hearing will be conducted on June 17, 2008 to consider each of these actions. At this hearing any person affected by the proposed actions may present their position, arguments, or contentions.

### **NEW CONTINUING EDUCATION RULES**

A significant change as the result of passage of House Bill 149 relates to the required continuing education hours. The law now requires **ALL OHIO OPTOMETRISTS** to obtain 25 hours of continuing education which includes 10 hours of study in pharmacology. Although the law became effective March 25, 2008 the Board voted to delay this requirement until the continuing education period starting October 1, 2008 through September 30, 2009. You are encouraged to review the proposed changes to the following rules relative to continuing education: 4725-9-01 Hours required; study compliance year, 4725-9-02 Approved education programs and 4725-9-03 Board approval of continuing education. These changes can be located on the Board's website under "New C.E. Requirements."

**OVER**

## **PROPOSED SCHEDULE III DRUGS**

The following text represents the PROPOSED language authorizing optometrists to prescribe certain controlled substances. Again, this is the proposed new rule and will be presented at the Public Hearing on June 17, 2008. Based on the current timeline the earliest possible effective date for this rule would be July 18, 2008.

### **4725-16-03 Prescribing controlled substances.**

A licensed optometrist, who holds a therapeutic pharmaceutical agents certificate is authorized to employ, apply, administer and prescribe schedule III controlled substances that are determined to be appropriate for use in the practice of optometry pursuant to the following:

- (A) A licensed optometrist who holds a therapeutic pharmaceutical agents certificate may prescribe the following controlled substances contained in section 3719.41 of the Revised Code within the schedule III narcotics - narcotic preparations category:
  - (1) A preparation used for the treatment of pain that contains not more than 60 mg of codeine per dosage unit and also contains other active nonnarcotic ingredients (e.g. acetaminophen or aspirin) in a recognized therapeutic amount.
  - (2) A preparation used for the treatment of pain that contains not more than 7.5 mg of hydrocodone per dosage unit and also contains other active nonnarcotic ingredients (e.g. acetaminophen, aspirin, ibuprofen) in a recognized therapeutic amount.
- (B) The total quantity prescribed shall not exceed a single four-day supply of schedule III controlled substances per episode of illness, injury and/or treatment.
- (C) Controlled substances may only be prescribed by an optometrist if the product's FDA approved labeling contains an indication for pain.

The failure to comply with all or part of this rule constitutes a violation of section 4725.19(B)(3), 4725.19(B)(9) and/or 4725.19(B)(13) of the Revised Code.

## **FINAL REMINDER**

The Drug Enforcement Administration (DEA) is still reviewing Ohio's law relative to prescribing controlled substances. DEA must approve this legislation before authorized Ohio licensed optometrists are able to apply for a controlled substance registration. Once the proposed rule on prescribing controlled substances is approved, you must have a DEA registration before writing the prescriptions.

The Board would encourage all optometrists to keep current with the many changes occurring in the laws and rules related to the practice of optometry. The on-line version of both of these areas is available at the Board website by clicking on "Laws and Rules." Also, once the changes in the administrative rules are approved, you will be able to peruse the latest updates at this same location. Please check the Board website often for all the changes and updates.