

**Bill Summary**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 100</b>
<b>Version:</b>	<b>CCS</b>
<b>Request No.:</b>	<b>2267</b>
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**Bill Analysis**

The CCS on SB 100 authorizes optometrists to rent space near or within a retail store for the purpose of engaging in optometry services and specifies that the act of renting space near or within a retail store shall not be considered unethical conduct by the Board of Examiners in Optometry, regardless of whether a retail store derives income from the sale of prescription optical goods and materials. The measure exempts the OSU College of Osteopathic Medicine from provisions prohibiting optometrists from engaging in optometry services outside of their official role as an optometrist.

The measure requires each rented area in a retail store to be apart from space used by other occupants of the premises and partitioned from space used by other occupants. The area must have a patient entrance on a public thoroughfare. The owners of the space may not dictate the hours of operation for the optometrist renting space. Optical goods and services may be sold by a person, firm or corporation regardless of whether a majority of the retail store's income is derived from the sale of prescription optical goods, appliances and materials or whether an optometrist is practicing optometry in such retail store.

The measure outlines the requirements for assessment mechanisms to conduct eye examinations. Assessment mechanisms must provide interaction between the patient and licensed optometrist, collect patient's medical history and previous prescriptions, provide applicable accommodation pursuant to the Americans with Disabilities Act, protect health information in compliance with the Health Insurance Portability and Accountability Act (HIPAA), be used to perform a procedure with a Current Procedural Terminology code, and maintain liability insurance. Assessment mechanisms must be read and verified by an optometrist. Each patient provided with an assessment mechanism must receive as a term of use a disclosure that includes certain information outlined in the measure. Treatments and consultations made by Oklahoma-licensed optometrist utilizing an assessment mechanism must be held to the same standards of appropriate practice guidelines and standard of care as those in traditional in-person clinical settings. The measure outlines certain requirements for various goods and services related to optometric care and repeals statutes prohibiting the establishment of retail optical outlets.

**Conference Committee Substitute**

The CCS on SB 100 replaces the engrossed version of the measure, which repealed the Massage Therapy Practice Act, with new language related to optometry, as described above. The CCS

also restores the Title on the bill and provides for severability if any part or provision shall be held void by the courts or federal law.

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