

March 21, 2013

Senator Kathy Campbell, Chair  
Health and Human Services Committee  
P.O. Box 94604  
Lincoln, NE 68509-4604

RE: LB 527

Dear Senator Campbell and members of the Health and Human Services Committee:

LB 527 proposes changes in the scope of practice of optometry to allow optometrists to use injectable pharmaceutical agents for treatment of anaphylaxis or for treatment of cysts or infected or inflamed glands of the eyelids, and to broaden the optometry prescribing scope to include oral anti-glaucoma medications, oral steroids, and oral immunosuppressive agents. The Department of Health and Human Services has reviewed LB 527 and has the following technical concerns:

- Section 6 of the bill establishes that optometrists who were licensed in Nebraska prior to April 30, 1987, would be able to practice optometry in Nebraska after August 1, 2016, without meeting the requirements and obtaining certification for use of diagnostic or therapeutic pharmaceutical agents or to perform injections. This language is concerning since it:
  - (a) fails to specify whether optometrists who were licensed in Nebraska prior to April 30, 1987, would be able to continue practicing without certification until August 1, 2016;
  - (b) lacks reason for the chosen dates; and
  - (c) permits optometrists with varying levels of education to practice, thereby failing to ensure a common educational standard for licensed optometrists.

The Department expects the subject matter of LB 527 to be the focus of a Credentialing (407) Review to begin shortly. The final recommendations should be ready early in 2014. Thank you for your consideration of the Department's technical concerns.

Sincerely,



Joseph M. Acierno, M.D., J.D.  
Chief Medical Officer  
Director, Division of Public Health