

## HOUSE BILL No. 2223

By Committee on Health and Human Services

Requested by Representative Buehler on behalf of the Kansas Optometric Association

2-3

Senate Health and Public Welfare  
Potential Amendment to HB 2223  
March 24, 2025  
Prepared by: Office of Revisor of Statutes

AN ACT concerning health professions and practices; relating to optometry; modifying certain provisions of the optometry law related to scope of practice, definitions and credentialing requirements; amending K.S.A. 65-1501, 65-1509a, 65-1512, 65-1523 and 74-1504 and K.S.A. 2024 Supp. 65-1501a and 65-1505 and repealing the existing sections; also repealing K.S.A. 65-1514 and 74-1505.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 65-1501 is hereby amended to read as follows: 65-1501. (a) The practice of optometry means:

(1) The examination of the human eye and its ~~adnexae~~ *adnexa* and the employment of objective or subjective means or methods, (including the administering, prescribing or dispensing, of ~~topical~~ pharmaceutical drugs), for the purpose of diagnosing the refractive, muscular, or pathological condition thereof;

(2) *the use of medical devices* and the prescribing, dispensing or adapting of lenses, (including any ophthalmic lenses which are classified as drugs by any law of the United States or of this state), prisms, low vision rehabilitation services, orthoptic exercises and visual training therapy for the relief of any insufficiencies or abnormal conditions of the human eye and its ~~adnexae~~ *adnexa*; and

(3) *the use of medical devices* and the prescribing, administering or dispensing of ~~topical~~ pharmaceutical drugs and ~~oral drugs through all routes of administration, except intraocular injections,~~ for the examination, diagnosis and treatment of ocular conditions and any insufficiencies or abnormal conditions of the human eye and its ~~adnexae~~ *adnexa*; ~~including adult open-angle glaucoma~~

(4) *the removal of non - perforating foreign bodies from the cornea, conjunctiva or eyelids, removal of eyelashes, scraping the cornea for diagnostic tests, smears or cultures, the dilation, probing, irrigation or closing the tear drainage structure of the eye, expression of conjunctival follicles or cysts, debridement of the corneal epithelium, incision and curettage of a chalazion, removal and biopsy of skin lesions without known malignancy, laser capsulotomy, laser trabeculoplasty and laser*

1 *peripheral iridotomy; and*

2 *(5) the performance of additional procedures that are not otherwise*  
 3 *prohibited by subsection (b) that are within the scope of a licensee's*  
 4 *education and training for the treatment of any insufficiencies or*  
 5 *abnormal conditions of the human eye and its adnexa as authorized*  
 6 *pursuant to rules and regulations adopted by the board.*

pursuant to recommendation from the  
intraprofessional advisory committee

7 (b) The practice of optometry shall not include *the performance of*  
 8 *the following procedures:* (1) ~~The management and treatment of glaucoma,~~  
 9 ~~except as provided in subsection (a);~~ (2) ~~the performance of surgery,~~  
 10 ~~including the use of lasers for surgical purposes, except that licensees may~~  
 11 ~~remove non-perforating foreign bodies from the cornea, conjunctiva or~~  
 12 ~~eyelids; remove eyelashes; scrape the cornea for diagnostic tests, smears or~~  
 13 ~~cultures; dilate, probe, irrigate or close by punctal plug the tear drainage~~  
 14 ~~structures of the eye; express conjunctival follicles or cysts; debridement~~  
 15 ~~of the corneal epithelium and co-management of post-operative care; or~~  
 16 ~~(3) the performance of procedures requiring anesthesia administered by~~  
 17 ~~injection or general anesthesia~~ Retinal surgery, penetrating keratoplasty or  
 18 corneal transplant, administration of or surgery performed under general  
 19 anesthesia, surgery related to the removal of the eye from a living human  
 20 being, surgical extraction of the crystalline lens, surgical intraocular  
 21 implants, incisional or excisional surgery of the extraocular muscles,  
 22 surgery of the bony orbit, laser - assisted in situ keratomileusis or  
 23 photorefractive keratectomy, YAG laser vitreolysis, and surgery of the  
 24 eyelid for cosmetic or mechanical repair of blepharochalasis, ptosis and  
 25 tarsorrhaphy. However, an optometrist may provide pre-operative and  
 26 post-operative care for the procedures in this subsection.

27 (c) A licensee shall be held to a standard of care in the diagnosis and  
 28 treatment of adult open-angle glaucoma ~~commensurate to~~ with that of a  
 29 person licensed to practice medicine and surgery, who exercises that  
 30 degree of skill and proficiency commonly exercised by an ordinary,  
 31 skillful, careful and prudent person licensed to practice medicine and  
 32 surgery.

33 (d) Under the direction and supervision of a licensee, a licensed  
 34 professional nurse, licensed practical nurse, licensed physical therapist and  
 35 licensed occupational therapist may assist in the provision of low vision  
 36 rehabilitation services in addition to such other services ~~which that~~ such  
 37 licensed professional nurse, licensed practical nurse, licensed physical  
 38 therapist and licensed occupational therapist is authorized by law to  
 39 provide under ~~subsection (d) of K.S.A. 65-1113(d), subsection (h) of~~  
 40 ~~K.S.A. 65-1124(h), subsection (b) of K.S.A. 65-2901(b) and subsection (b)~~  
 41 ~~of K.S.A. 65-5402(b), and amendments thereto.~~

42 Sec. 2. K.S.A. 2024 Supp. 65-1501a is hereby amended to read as  
 43 follows: 65-1501a. ~~For the purposes of this act the following terms shall~~

1 to cause the deposition of witnesses, either residing within or without the  
2 state, to be taken in the manner prescribed by law for taking depositions in  
3 civil actions in the district courts. In case of disobedience on the part of  
4 any person to comply with any subpoena issued in behalf of the board, or  
5 on the refusal of any witness to testify to any matters regarding which such  
6 witness may be lawfully interrogated, the judge of the district court of any  
7 county, on application of a member of the board, may compel obedience  
8 by proceedings for contempt, as in the case of disobedience of the  
9 requirements of a subpoena issued from such court or a refusal to testify in  
10 such court. Each witness who appears before the board by the board's  
11 order or subpoena, other than a state officer or employee, shall receive for  
12 attendance the fees and mileage provided for witnesses in civil cases in  
13 courts of record ~~which~~ that shall be audited and paid upon the presentation  
14 of proper vouchers sworn to by such witnesses and approved by the  
15 president and secretary-treasurer of the board.

16 (6) Adopt rules and regulations for the procedure and conduct of the  
17 board and for the administration of the optometry law, ~~which rules and~~  
18 ~~regulations shall that are not be inconsistent~~ consistent with the provisions  
19 of the optometry law.

20 (b) The board shall meet at least annually for the purpose of  
21 examining applicants for licensure. ~~Such meetings shall be held in Topeka.~~  
22 At least 30 days prior to the examination, the board shall cause a special  
23 notice to be published in the Kansas register stating the date and hour for  
24 holding such examination. Special meetings shall be held at such times  
25 and places as the board may direct.

26 (c) The board shall preserve an accurate record of all meetings and  
27 proceedings of the board including receipts and disbursements with  
28 vouchers therefor and complete minutes of all prosecutions and violations  
29 of the optometry law and of examinations held under the provisions of the  
30 optometry law and an accurate inventory of all property of the board. All  
31 such records shall be kept in the office of the board and made accessible to  
32 the public.

33 Sec. 8. K.S.A. 65-1501, 65-1509a, 65-1512, 65-1514, 65-1523, 74-  
34 1504 ~~and 74-1505~~ and K.S.A. 2024 Supp. 65-1501a and 65-1505 are  
35 hereby repealed.

36 Sec. 9. This act shall take effect and be in force from and after its  
37 publication in the statute book.

See Attachment A

**74-1505. Interprofessional advisory committee; appointment; duties.** (a) The board shall appoint a seven-member committee to be known as the interprofessional advisory committee which, as requested by the board, ~~shall make recommendations on clinical or practice related issues, including procedure coding matters and appropriate treatments for ocular diseases and conditions.~~

(b) The interprofessional advisory committee shall consist of one member of the board appointed by the board who shall serve as a nonvoting chair, together with three optometrists licensed to practice optometry in this state chosen by the board from those nominated by the Kansas optometric association and three ophthalmologists licensed to practice in this state chosen by the board from those nominated by the Kansas medical society and the Kansas association of osteopathic medicine. The Kansas optometric association and Kansas medical society shall submit six nominees to the board. The Kansas association of osteopathic medicine shall submit two nominees to the board. Persons appointed to the committee shall serve terms of three years and without compensation. All expenses of the committee shall be paid by the board.

(c) This section shall be part of and supplemental to the optometry law.

**History:** L. 1996, ch. 95, § 5; L. 1999, ch. 23, § 10; L. 2005, ch. 93, § 4; L. 2012, ch. 8, § 9; July 1.

may review new technologies to make recommendations for consideration by the board.