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HOUSE BILL 1186

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO THE PRACTICE OF OPTOMETRY; INCLUDING CERTAIN
SPECIFIC TYPES OF SURGERY WITHIN THE PRACTICE OF OPTOMETRY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-2-2 NMSA 1978 (being Laws 1973,
Chapter 353, Section 2, as amended) is amended to read:

"61-2-2. DEFINITIONS.--As used in the Optometry Act:

A. "practice of optometry" [~~(1)~~] means:

~~(a)~~ (1) the employment of any subjective or
objective means or methods, including but not limited to the
use of lenses, prisms, autorefractors or other automated
testing devices, and includes the prescription or
administration of drugs for the purpose of diagnosing the
visual defects or abnormal conditions of the human eye and its
adnexa; [~~and~~

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1 [(b)] (2) the employing, adapting or
2 prescribing of preventive or corrective measures, including but
3 not limited to lenses, prisms, contact or corneal lenses or
4 other optical appliances, ocular exercises, vision therapy,
5 vision training and vision rehabilitation services, and
6 includes the prescription or administration of all drugs
7 rational for the correction, relief or referral of visual
8 defects or abnormal conditions of the human eye and its adnexa;
9 and

10 [~~(2) does not include the use of surgery or~~
11 ~~injections in the treatment of eye diseases;~~]

12 (3) the use of the following types of in-
13 office minor surgical procedures:

14 (a) non-laser removal, destruction or
15 drainage of superficial eyelid lesions and conjunctival cysts;

16 (b) removal of nonperforating foreign
17 bodies from the cornea, conjunctiva and eyelid;

18 (c) non-laser corneal debridement,
19 culture, scrape or anterior puncture, not including removal of
20 pterygium, corneal biopsy or removal of corneal neoplasias;

21 (d) removal of eyelashes; and

22 (e) probing, dilation, irrigation or
23 closure of the tear drainage structures of the eyelid;

24 B. "ophthalmic lens" means a lens that has a
25 spherical, cylindrical or prismatic value, is ground pursuant

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1 to a prescription and is intended to be used as eyeglasses;

2 C. "contact lens" means a lens to be worn on the
3 anterior segment of the human eye;

4 D. "prescription" means a written order by an
5 optometrist or a physician for an individual patient for:

6 (1) ophthalmic lenses;

7 (2) contact lenses; or

8 (3) a topical ocular pharmaceutical agent or
9 an oral pharmaceutical agent that is regulated pursuant to the
10 New Mexico Drug, Device and Cosmetic Act;

11 E. "eyeglasses" means an exterior optical device
12 using ophthalmic lenses for the correction or relief of
13 disturbances in and anomalies of human vision; and

14 F. "board" means the board of optometry."

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