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AN ACT

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

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" means:

(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;

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

1 (3) does not include the use of surgery or
2 injections in the treatment of eye diseases except for the
3 use of the following types of in-office minor surgical
4 procedures:

5 (a) non-laser removal, destruction or
6 drainage of superficial eyelid lesions and conjunctival
7 cysts;

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

10 (c) non-laser corneal debridement,
11 culture, scrape or anterior puncture, not including removal
12 of pterygium, corneal biopsy or removal of corneal
13 neoplasias;

14 (d) removal of eyelashes; and

15 (e) probing, dilation, irrigation or
16 closure of the tear drainage structures of the eyelid;
17 scalpel use is to be applied only for the purpose of use on
18 the skin surrounding the eye;

19 B. "ophthalmic lens" means a lens that has a
20 spherical, cylindrical or prismatic value, is ground pursuant
21 to a prescription and is intended to be used as eyeglasses;

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

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

- 1 (1) ophthalmic lenses;
2 (2) contact lenses; or
3 (3) a topical ocular pharmaceutical agent or
4 an oral pharmaceutical agent that is regulated pursuant to
5 the New Mexico Drug, Device and Cosmetic Act;

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

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

10 Section 2. EMERGENCY.--It is necessary for the public
11 peace, health and safety that this act take effect
12 immediately.

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