

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

373I0373

SENATE COMMERCE COMMITTEE ENGROSSED NO.

SB 135 - 02/06/2003

Introduced by: Senators Duenwald, Abdallah, Apa, Dennert, Diedrich (Larry), Duxbury, Kelly, Kleven, Kloucek, Koetzle, Kooistra, Koskan, Moore, Nachtigal, Napoli, Olson (Ed), Reedy, Sutton (Dan), Sutton (Duane), and Vitter and Representatives Sebert, Bartling, Begalka, Burg, Dykstra, Elliott, Fryslie, Garnos, Hanson, Hargens, Haverly, Juhnke, Klaudt, Koistinen, Kraus, Kroger, Lange, McCoy, Murschel, Nesselhuf, Novstrup, O'Brien, Pederson (Gordon), Putnam, Rounds, Schafer, Smidt, Valandra, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the practice of
2 optometry.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-7-1 be amended to read as follows:

5 36-7-1. The practice of optometry is declared to be a profession and defined as examination
6 of the human eye and its appendages, and the employment of any means for the measurement of
7 the powers of visions, or any visual, muscular, neurological, interpretative, or anatomical
8 anomalies of the visual processes, and the prescribing or employment of lenses, prisms, frames,
9 mountings, visual training procedure, ~~topical~~ the prescribing or administration, except by
10 injection of pharmaceutical agents ~~and oral analgesic agents for diagnostic~~ rational to the
11 diagnosis and treatment ~~purposes~~ of the human eye and its appendages, and any other means or
12 method for the correction, remedy, or relief of any insufficiencies or abnormal conditions of the



1 visual processes of the human eye and its appendages except surgery. However, an optometrist
2 may remove superficial foreign bodies from the eye. The prescription of contact lenses, except
3 by a practitioner licensed under chapter 36-4, constitutes the practice of optometry. An
4 optometrist is one who practices optometry under the provisions of this chapter.

5 Section 2. That § 36-7-33 be repealed.

6 ~~—36-7-33. No oral therapeutic agent may be prescribed by an optometrist therapeutically~~
7 ~~certified under this chapter for glaucoma or ocular hypertension.~~

8 Section 3. That chapter 36-7 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 No optometrist may prescribe, administer, or dispense any oral therapeutic agent to any child
11 under twelve years of age, or any oral steroid to any person, without prior consultation with a
12 physician licensed pursuant to chapter 36-4.