

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS
TO THE GEORGIA BOARD OF OPTOMETRY BOARD RULE CHAPTER 430-10
CERTIFICATION FOR USE OF THERAPEUTIC AGENTS, RULE 430-10-.03
APPROVED THERAPEUTIC DRUGS AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Optometry (hereinafter "Board") proposes an amendment to Board Rule Chapter 430-10 Certification for Use Of Therapeutic Agents, Rule 430-10-.03 Approved Therapeutic Drugs (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being forwarded to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board website at www.sos.state.ga.us/plb/optometry or by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at **10:45 a.m., Wednesday, January 11, 2017**, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on **Wednesday, January 4, 2017**. Written comments should be addressed to Lisa W. Durden, Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Optometry, 237 Coliseum Drive, Macon, Georgia 31217; Fax (866) 888-7127.

The Board will consider the proposed rule amendment for adoption at its meeting scheduled to begin at **10:45 a.m., Wednesday, January 11, 2017** at the Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Board has the authority to adopt the proposed rule amendments to 430-10-.03 pursuant to authority contained in O.C.G.A. §§ 43-30-1 and 43-30-5.

At its meeting Wednesday, July 13, 2016, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with

the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-30-1 and 43-30-5.

Additionally, at its meeting Wednesday, July 13, 2016, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-30-1 and 43-30-5 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Optometry.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 29 day of October, 2016



Lisa W. Durden
Director
Professional Licensing Boards

Posted: 27 Oct 16

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF OPTOMETRY
BOARD RULE CHAPTER 430-10 CERTIFICATION FOR USE OF THERAPEUTIC
AGENTS, RULE 430-10-.03 APPROVED THERAPEUTIC DRUGS**

Purpose: The purpose of this rule amendment is to reflect the most recent changes to the Board's law with regard to prescriptive authority.

Main Features: The amended rule specifies permissible use of the controlled substance hydrocodone, restating the language found in the newly amended law, O.C.G.A. 43-30-1(2)(D).

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE BOARD RULE CHAPTER 430-10 CERTIFICATION FOR
USE OF THERAPEUTIC AGENTS, RULE 430-10-.03 APPROVED THERAPEUTIC
DRUGS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Rule 430-10-.03. Approved Therapeutic Drugs

(1) Pharmaceutical agents which are used by a doctor of optometry for treatment purposes and administered orally may only be:

(a) Non-narcotic oral analgesics and Schedule III or Schedule IV controlled substances which are oral analgesics;

(b) Used for ocular pain; and

(c) Used for no more than 72 hours without consultation with the patient's physician; provided however that with respect to hydrocodone, used for no more than 48 hours without consultation with the patient's physician; or

(d) Oral and topical antibiotics, antivirals, topical steroids, antifungals, antihistamines, or antiglaucoma agents related to the diagnosis or treatment of diseases and conditions of the eye and adnexa oculi except Schedule I or Schedule II controlled substances.

(2) Doctors of optometry using such oral and topical pharmaceutical agents shall be held to the same standard of care imposed by Code Section 51-1-27 as would be applied to a physician licensed under Chapter 34 of this title performing similar acts; provided, however, that a doctor of optometry shall not be authorized to treat systemic diseases.

(3) The following pharmaceutical agents may be used for treatment purposes, including ocular pain, by any doctor of optometry who has been certified pursuant to O.C.G.A. 43-30-1(2)(A) to use pharmaceutical agents for treatment purposes:

(a) topical and oral antibiotics;

- (b) topical and oral antivirals;
- (c) topical and oral antifungals;
- (d) topical and oral antiallergy;
- (e) topical and oral antiglaucoma;
- (f) topical steroids;
- (g) topical and oral nonsteroidal anti-inflammatory;
- (h) oral non-narcotic analgesics;
- (i) oral narcotic Schedule III or IV analgesics.

(4) An optometrist certified to use therapeutic agents pursuant to O.C.G.A. § 43-30-1(2)(A), shall only use those agents as authorized under O.C.G.A. § 43-30-1(2)(D), (E) and (F). A doctor of optometry shall not administer any pharmaceutical agent by injection.

(5) The therapeutic agents listed in subparagraph (1) above to be used as an oral analgesic for ocular pain may include Schedule III or Schedule IV.

Authority: O.C.G.A. §§ 43-30-1 and 43-30-5

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(4) An optometrist certified to use therapeutic agents pursuant to O.C.G.A. § 43-30-1(2)(A), shall only use those agents as authorized under O.C.G.A. § 43-30-1(2)(D), (E) and (F). A doctor of optometry shall not administer any pharmaceutical agent by injection.

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