Senate Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 59

SENATE BILL 1529

AN ACT

AMENDING SECTION 32-1706, ARIZONA REVISED STATUTES; RELATING TO OPTOMETRY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 32-1706, Arizona Revised Statutes, is amended to read:

32-1706. Use of pharmaceutical agents

A. A licensee may prescribe, dispense and administer over-the-counter pharmaceuticals and topical prescription pharmaceuticals subject to the pharmaceutical agent classifications specified in section 32-1728.

B. A licensee may prescribe, dispense and administer the following oral prescription pharmaceuticals subject to the pharmaceutical agent classifications specified in section 32-1728:

1. Antibiotics classified as tetracycline and its derivatives, cephalosporins, penicillin and its derivatives and erythromycin, azithromycin and clarithromycin. A licensee may prescribe these antibiotics for any one patient for each occurrence for a period not more than the day limit recommended by the manufacturer or by the physicians' desk reference. If the patient's condition is other than blepharitis and does not improve during the first seventy-two hours of treatment by means of an oral antibiotic, the licensee shall consult with the patient's primary care physician or other family physician for the purpose of referral of the patient to a physician who specializes in ophthalmology, infectious diseases, internal medicine or neurology. After the referral has been made, the licensee shall consult with the specialist. The licensee shall note the consultation in the patient's file. If the treatment is by oral antibiotics for blepharitis and if the patient's condition does not improve during the first ten days of treatment, the licensee shall request the patient's primary care physician or other family physician to refer the patient to a physician who specializes in ophthalmology, infectious diseases, internal medicine or neurology. On notification of the referral the licensee shall consult with the specialist. The licensee shall note the consultation in the patient's file. If the condition is not resolved at the end of the normal treatment period, the licensee shall request the patient's primary care physician or other family physician to refer the patient to a physician who specializes in ophthalmology, infectious diseases, internal medicine or neurology. On notification of the referral the licensee shall consult with the specialist. The licensee shall note the consultation in the patient's file. A licensee shall not prescribe, dispense or administer an oral antibiotic to a person who is under six years of age. For the ~~purpose~~ PURPOSES of this paragraph, "physician" means a person who is licensed pursuant to chapter 13 or 17 of this title.

2. Antihistamines. A licensee may prescribe an antihistamine for not more than seven days for any one patient FOR EACH OCCURRENCE. ~~The licensee shall request the patient's primary care physician or other family physician who is licensed pursuant to chapter 13 or 17 of this title to refer the patient.~~ IF THE PATIENT'S CONDITION DOES NOT IMPROVE DURING THE FIRST SEVEN

DAYS OF TREATMENT, THE LICENSEE SHALL REFER THE PATIENT TO THE PATIENT'S PRIMARY CARE PHYSICIAN OR OTHER PHYSICIAN LICENSED PURSUANT TO CHAPTER 13 OR 17 OF THIS TITLE. ~~The licensee may prescribe only the following prescription antihistamines:~~

~~(a) Cetirizine.~~

~~(b) Loratadine.~~

~~(c) Fexofenadine.~~

3. Nonprescription nonsteroidal anti-inflammatory agents. A licensee may prescribe, dispense and administer these agents in dosages that exceed over-the-counter dosages but that do not exceed maximum dosages of counterpart prescription nonsteroidal anti-inflammatory agents.

C. A licensee may prescribe, dispense and administer a schedule III controlled substance only if it is an analgesic.

D. A licensee shall not prescribe, dispense or administer the following prescription substances:

1. An oral steroid.
2. An oral antifungal.
3. An oral antiviral.
4. An oral carbonic anhydrase inhibitor.
5. An oral antimetabolite.
6. An oral immunosuppressive.
7. A substance administered intravenously.
8. Except as provided in subsection E, substances administered by injection.
9. A schedule I, II, IV or V controlled substance.
10. An oral agent for the treatment of closed angle glaucoma attack.
11. Except as provided in subsection B, paragraph 3 OR 4, an oral nonsteroidal anti-inflammatory agent.

E. A licensee may use epinephrine auto-injectors to counteract an anaphylactic reaction. A licensee who uses auto-injectors may order and maintain anaphylactic-related supplies. The board shall require a licensee to maintain in the licensee's office medically necessary supportive equipment and supplies that are used in connection with the treatment of an anaphylactic reaction including oxygen equipment, airway maintenance equipment or other necessary equipment consistent with the prevailing standard of care as specified by the board.

APPROVED BY THE GOVERNOR APRIL 16, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2007.

Passed the House April 9, 2007,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate March 8, 2007,

by the following vote: 25 Ayes,

3 Nays, 2 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

10th day of April, 2007,

at 1:50 o'clock p. M.

Secretary to the Governor

Approved this 16 day of

April, 2007,

at 2:40 o'clock P. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 16 day of April, 2007,

at 4:56 o'clock p. M.

Secretary of State

S.B. 1529