

Senate Engrossed House Bill

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
Second Regular Session  
2014

CHAPTER 262

# **HOUSE BILL 2380**

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 32-1706. Use of pharmaceutical agents

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

8 B. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, a licensee may  
9 prescribe, dispense and administer the following oral prescription  
10 pharmaceuticals FOR THE TREATMENT OF DISEASES OF THE EYE AND ITS ADNEXA FOR  
11 ANY ONE PATIENT FOR EACH OCCURRENCE FOR A PERIOD OF NOT MORE THAN THE DAY  
12 LIMIT RECOMMENDED BY THE MANUFACTURER OR THE PHYSICIANS' DESK REFERENCE,  
13 UNLESS OTHERWISE SPECIFIED IN THIS SUBSECTION, subject to the pharmaceutical  
14 agent classifications specified in section 32-1728:

15 1. ~~Antibiotics~~ ANTI-INFECTIVES classified as tetracycline and its  
16 derivatives, cephalosporins, penicillin and its derivatives and, macrolides,  
17 FLUROQUINOLONES and antivirals for the treatment of diseases of the eye and  
18 its adnexa. A licensee may prescribe these antibiotics and antivirals for  
19 any one patient for each occurrence for a period not more than the day limit  
20 recommended by the manufacturer or by the physicians' desk reference. If the  
21 patient's condition is other than blepharitis and does not improve during the  
22 first seventy-two hours of treatment by means of an oral antibiotic or an  
23 oral antiviral, the licensee shall consult with the patient's primary care  
24 physician or other family physician for the purpose of referral of the  
25 patient to a physician who specializes in ophthalmology, infectious diseases,  
26 internal medicine or neurology. After the referral has been made, the  
27 licensee shall consult with the specialist. The licensee shall note the  
28 consultation in the patient's file. If the treatment is by oral antibiotics  
29 for blepharitis and if the patient's condition does not improve during the  
30 first ten days of treatment, the licensee shall request the patient's primary  
31 care physician or other family physician to refer the patient to a physician  
32 who specializes in ophthalmology, infectious diseases, internal medicine or  
33 neurology. On notification of the referral the licensee shall consult with  
34 the specialist. The licensee shall note the consultation in the patient's  
35 file. If the condition is not resolved at the end of the normal treatment  
36 period, the licensee shall request the patient's primary care physician or  
37 other family physician to refer the patient to a physician who specializes in  
38 ophthalmology, infectious diseases, internal medicine or neurology. On  
39 notification of the referral the licensee shall consult with the specialist.  
40 The licensee shall note the consultation in the patient's file. A licensee  
41 shall not prescribe, dispense or administer an oral antibiotic or an oral  
42 antiviral to a person who is under six years of age. For the purposes of  
43 this paragraph, "physician" means a person who is licensed pursuant to  
44 chapter 13 or 17 of this title.

1           2. Antihistamines. A licensee may prescribe an antihistamine for not  
2 more than seven days for any one patient for each occurrence. If the  
3 patient's condition does not improve during the first seven days of  
4 treatment, the licensee shall refer the patient to the patient's primary care  
5 physician or other physician licensed pursuant to chapter 13 or 17 of this  
6 title.

7           3. Nonsteroidal anti-inflammatory agents. A licensee may prescribe a  
8 nonsteroidal anti-inflammatory agent for not more than fourteen days for any  
9 one patient for each occurrence. A licensee shall not prescribe, dispense or  
10 administer a nonsteroidal anti-inflammatory agent to a person who is under  
11 six years of age.

12           4. AGENTS FOR THE TREATMENT OF ANGLE-CLOSURE GLAUCOMA, INCLUDING  
13 CARBONIC ANHYDRASE INHIBITORS.

14           5. STEROIDS IN AN AMOUNT THAT DOES NOT EXCEED THE AMOUNT PACKAGED FOR  
15 A SINGLE COURSE OF THERAPY OF NOT MORE THAN SEVEN DAYS.

16           C. A LICENSEE MAY NOT PRESCRIBE, DISPENSE OR ADMINISTER AN ORAL  
17 PHARMACEUTICAL SPECIFIED IN SUBSECTION B OF THIS SECTION OR A CONTROLLED  
18 SUBSTANCE AS SPECIFIED IN SUBSECTION D OF THIS SECTION TO A PERSON WHO IS  
19 UNDER SIX YEARS OF AGE.

20           ~~E.~~ D. A licensee may prescribe, dispense and administer a schedule  
21 III controlled substance only if it is an analgesic AND ANY CONTROLLED  
22 SUBSTANCE ONLY IF IT IS AN ANALGESIC THAT IS RECLASSIFIED FROM SCHEDULE III  
23 TO SCHEDULE II AFTER JANUARY 1, 2014.

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

26           ~~1.~~ An oral steroid.

27           ~~2.~~ 1. An oral antifungal.

28           ~~3.~~ An oral carbonic anhydrase inhibitor.

29           ~~4.~~ 2. An oral antimetabolite.

30           ~~5.~~ 3. An oral immunosuppressive.

31           ~~6.~~ 4. A substance administered intravenously.

32           ~~7.~~ 5. Except as provided in subsection E- F of this section,  
33 substances administered by injection.

34           ~~8.~~ 6. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, a schedule  
35 I, II, IV or V controlled substance.

36           ~~9.~~ An oral agent for the treatment of closed angle glaucoma attack.

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

APPROVED BY THE GOVERNOR APRIL 30, 2014.

FILED IN THE OFFICE OF THE <sup>2</sup> SECRETARY OF STATE APRIL 30, 2014.

Passed the House March 4, 20 14

Passed the Senate April 23, 20 14

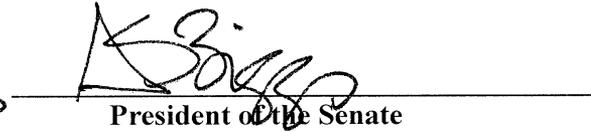
by the following vote: 55 Ayes,

by the following vote: 20 Ayes,

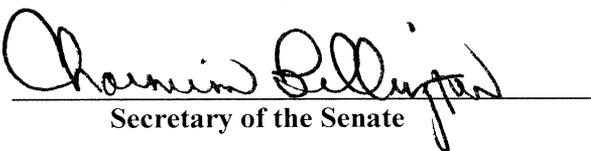
0 Nays, 5 Not Voting

7 Nays, 3 Not Voting

  
Speaker of the House

  
President of the Senate

Pro Tempore  
  
Cheryl Laube  
Chief Clerk of the House

  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2380

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 24, 2014,

by the following vote: 34 Ayes,

22 Nays, 4 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of April, 2014,

at 9:40 o'clock A M.

[Signature]  
Secretary to the Governor

Approved this 30<sup>th</sup> day of

April, 2014,

at 11:22 o'clock A M.

[Signature]  
Governor of Arizona

H.B. 2380

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30<sup>th</sup> day of April, 2014,

at 4:21 o'clock P M.

[Signature]  
Secretary of State