

**PROPOSED REGULATION OF THE NEVADA
STATE BOARD OF OPTOMETRY**

LCB File No. R049-02

June 11, 2002

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 636.125.

Section 1. Chapter 636 of NAC is hereby amended by adding thereto a new section to read as follows:

1. A copy of a prescription for spectacle lenses must be provided to a patient, regardless of whether the patient requests such a copy.

2. Before issuing a prescription for a polymethylmethacrylate (Hydrophobic) contact lens, rigid gas permeable contact lens or soft (Hydrophilic) contact lens to a patient, an optometrist must complete a fitting process of the contact lens. Upon the completion of the fitting process and the issuance of a prescription, a copy of the prescription for such lenses must be:

(a) Provided to the patient, upon an oral or written request from the patient;

(b) Released to an authorized agent of the patient, upon a written request from the patient;

or

(c) Verified to an authorized agent of the patient, upon an oral or written request from the patient.

3. An optometrist shall not fail or refuse to provide all the information necessary to accurately duplicate a prescription for a polymethylmethacrylate (Hydrophobic) contact lens,

rigid gas permeable contact lens or soft (Hydrophilic) contact lens unless the optometrist maintains proper documentation of a sufficient clinical rationale.

4. Upon the issuance of a prescription for a polymethylmethacrylate (Hydrophobic) contact lens, rigid gas permeable contact lens or soft (Hydrophilic) contact lens, no changes may be made in the brand or type of lens prescribed without the issuance of a new prescription. A new prescription to make changes in the brand or type of lens prescribed must not be issued unless an optometrist has completed a new fitting process for such changes.

5. After the completion of a fitting process of a contact lens, which includes a determination that a successful fit and lens specification has been achieved, and the issuance of a prescription, the prescriber is not liable for any future changes in the fitting or dispensing of the lens by another source.

6. If a patient wishes to receive a prescription before an optometrist has completed a fitting process of a contact lens, the optometrist may release a prescription containing only the authorization and information necessary for an ophthalmic lens.

7. For the purposes of this section, “fitting process” means the processes of determining the specifications and fit of a contact lens, including:

- (a) An examination to determine the lens specifications;*
- (b) An initial evaluation of the fit of the lens on the eye of the patient;*
- (c) Any follow-up examination that is medically necessary; and*
- (d) A determination by the prescriber that a successful fit has been achieved.*