

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

LCB File No. R214-03

December 18, 2003

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

AUTHORITY: §1, NRS 636.125 and 636.2893; §2, NRS 636.125.

Section 1. NAC 636.280 is hereby amended to read as follows:

636.280 To receive a certificate to treat persons diagnosed with glaucoma pursuant to NRS 636.2895, an optometrist ~~is~~:

~~1. Must be~~ *must*:

1. *Be* licensed and in good standing to practice optometry in the State of Nevada.
2. ~~Must possess~~ *Possess* a valid certificate to administer and prescribe therapeutic pharmaceutical agents issued pursuant to NRS 636.288.
3. ~~Must have~~ *Have* successfully passed the “Treatment and Management of Ocular Disease Examination” administered by the National Board of Examiners in Optometry on or after January 1, 1993.
4. ~~Shall submit~~ *Submit* proof on a written form provided by the Executive Director of the Board that the optometrist has treated at least 15 persons described in subsection 3 of NRS 636.2893. The form must include:
 - (a) The name, address and license number of the optometrist;

(b) *A statement that the optometrist has, in consultation with an ophthalmologist licensed in the State of Nevada, treated the patients for at least 12 consecutive months, beginning not earlier than October 1, 1999;*

(c) The ~~[name of each patient treated, the]~~ date on which the treatment for each patient began and a description of the treatment plan ~~[which,]~~ for each patient ~~[, must be not less than 1 year in length beginning not earlier than October 1, 1999;~~

~~—(e)];~~

(d) A statement that the optometrist has, in consultation with an ophthalmologist licensed in the State of Nevada, treated the patients in accordance with the provisions of this chapter and chapter 636 of NRS;

~~[(d)]~~ (e) A statement that the consulting ophthalmologist has diagnosed the patients with glaucoma; and

~~[(e) The signatures]~~

(f) *A notarized signature* of the optometrist ~~[(f)]~~ *and* the consulting ophthalmologist ~~[and a notary public]~~ attesting to the accuracy of the information.

5. Retain a written form provided by the Executive Director of the Board that is separate from the form required pursuant to subsection 4 which contains the name, date of birth, dates of treatment and a synopsis of the treatment provided by the optometrist for each patient treated pursuant to subsection 4. The form:

(a) *Must be retained by the optometrist for not less than 5 years as required by NRS 629.051;*

(b) *Must be segregated from other office records of the optometrist; and*

(c) *Is subject to examination by the Board.*

Sec. 2. NAC 636.290 is hereby amended to read as follows:

636.290 1. An optometrist who treats persons for glaucoma in consultation with an ophthalmologist pursuant to NRS 636.2891, 636.2893 and 636.2895 shall:

(a) Conduct ~~[an optometric examination]~~ *such optometric examinations* of the patient ~~[at least once every 4 months for not less than 1 year;]~~ :

(1) As are deemed necessary and prudent by the optometrist and the consulting ophthalmologist; and

(2) For at least 12 consecutive months;

(b) Provide written records of each *optometric* examination of a patient and the *proposed course of* treatment to the consulting ophthalmologist; and

(c) Refer the patient to an ophthalmologist for further examination or treatment if the ophthalmologist determines, after reviewing the written records, that such a referral is necessary.

2. ~~[Within 30 days after a consulting ophthalmologist receives the records of an optometric examination and a course of treatment from an optometrist, the consulting ophthalmologist shall notify the optometrist in writing as to whether the consulting ophthalmologist agrees to the course of treatment outlined by the optometrist.~~

~~—3.— During the period before an optometrist is certified to treat persons diagnosed with glaucoma, the optometrist shall not treat any patient found to have any of the conditions or complications set forth in NRS 636.2891 which require referral of such patients to an ophthalmologist.~~

~~—4.]~~ The records of each patient created as a result of treatment provided by an optometrist in accordance with the provisions of this section and NRS 636.2891:

(a) Must be retained *in their entirety* by the optometrist for not less than 5 years as required by NRS 629.051; ~~and~~

(b) *Must be segregated from other office records of the optometrist; and*

(c) Are subject to examination by the Board.