

LCB File No. R215-03

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

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

~~[1. For the purposes of this section, “fitting process” means the processes of determining the specifications and fit of a contact lens including:]~~

1. Prior to releasing a contact lens prescription to a patient an optometrist must:

~~[(a) An examination to determine lens specification;]~~

~~(a)~~ *Complete* ~~[A]~~ *an* initial evaluation of the fit of the lens on the eye of the patient;

~~(b)~~ *Conduct* ~~[A]~~ *any* follow-up examination that is *deemed* medically necessary; and

~~(c)~~ ~~[d) A determination by the prescriber]~~ *Determine* that a successful fit has been achieved.

~~[2. A copy of a prescription for spectacle lenses must be provided to a patient, whether or not the patient requests such a copy.~~

~~3.]~~ **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]~~ **A** copy of the prescription for contact 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 written request from the patient.

~~[4.]~~ **3.** An optometrist shall not fail or refuse to provide all the information necessary to duplicate accurately 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.

~~[5.]~~ 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 *such additional evaluations or examinations as are deemed medically appropriate*. ~~[a new fitting process for such changes.~~

~~6.]~~ 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 lense by another source.

~~[7.]~~ 6. If a patient ~~[wishes to receive]~~ *requests the release of a prescription for contact lenses* ~~[before an optometrist has completed the fitting process of a contact lens,]~~ *prior to the completion of medically appropriate evaluations and follow-up examinations*, the optometrist may release a prescription ~~[containing only the authorization and information necessary]~~ for an ophthalmic lens *indicating it is not approved for contact lenses as provided by NRS 636.387(1)*.