



STATE OF WISCONSIN

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Positions Statements Related to Optometry Issued by the Optometry Examining Board

HOW LONG ARE OPTOMETRISTS REQUIRED TO MAINTAIN PATIENT RECORDS?

Optometrists are required to maintain patient records for at least 6 years. Refer to Ch. Opt 5.10, Wis. Adm. Code.

ARE OPTOMETRISTS REQUIRED TO RELEASE A COPY OF A CONTACT LENS PRESCRIPTION TO A PATIENT?

Yes, optometrists are required to release, at no cost to the patient, a copy of the patient's contact lens prescription following release of the patient from contact lens fitting and initial follow-up care. See Ch. Opt 5.16, Wis. Admin Code.

MAY AN INDIVIDUAL, WHO IS NOT A LICENSED OPTOMETRIST, ASSIST IN THE PRACTICE OF OPTOMETRY?

Yes, but in a limited capacity. The scope of practice of an unlicensed assistant to an optometrist is outlined in Chs. Opt 1.03 and Opt 5.12, Wis. Admin Code. Except for the provisions granted in Opt 5.12 (1) and (2), an optometrist may delegate any act that is within the scope of practice of optometry – granted that the delegate has the proper education and training to perform the task. All unlicensed staff must be supervised, as defined in Ch Opt 1.02(6), meaning the optometrist must be available to coordinate, direct, and inspect the practice of the unlicensed person on a regular basis, as determined by the supervising optometrist.

DOES AN OPTOMETRIST NEED A SEPARATE CREDENTIAL, IN ADDITION TO A LICENSE TO PRACTICE OPTOMETRY, IN ORDER TO USE DIAGNOSTIC PHARMACEUTICAL AGENTS?

Wis. Stats. 449 changed the Optometrist License dependent upon the date the license was first issued, see below:

Optometrists licensed by the Board **before** August 1, 2006 who elect to use diagnostic pharmaceutical agents must obtain a certification under s. 449.17, Wis. Stats.

Optometrists licensed by the Board **on or after** August 1, 2006 will automatically be authorized to use diagnostic pharmaceutical agents (DPA) without having to obtain a separate DPA certificate.

Note: the DPA certificates granted by the Department prior to August 1, 2006 no longer expire and will remain in effect while the optometrist's license remains in effect unless suspended or revoked by the Board.

DOES AN OPTOMETRIST NEED A SEPARATE CREDENTIAL, IN ADDITION TO A LICENSE TO PRACTICE OPTOMETRY, IN ORDER TO USE THERAPEUTIC PHARMACEUTICAL AGENTS?

Wis. Stats. 449 changed the Optometrist License dependent upon the date the license was first issued, see below:

Optometrists licensed by the Board **before** August 1, 2006 who elect to use therapeutic pharmaceutical agents must obtain a certification under s. 449.17 and a certification under s. 449.18, Wis. Stats.

Optometrists licensed by the Board **on or after** August 1, 2006 will automatically be authorized to use therapeutic pharmaceutical agents (TPA) without having to obtain a separate TPA certificate.

Note: the TPA certificates granted by the Board prior to August 1, 2006 no longer expire and will remain in effect while the optometrist's license remains in effect unless suspended or revoked by the Board.

CAN OPTOMETRISTS DISTRIBUTE LATISSE?

Ch. SPS 10, Wisc Admin Code regulates the appropriate pharmaceuticals that can be administered by optometrists. Per RL 10.01(10)(L), any ophthalmic therapeutic drug that is approved by the FDA under the drug and cosmetic act will fall into this category. As Latisse has been approved by the FDA it fits the standard of an acceptable therapeutic pharmaceutical. Therefore, optometrists who satisfy the requirements of Wis. Stats 449.18 are able to use Latisse in their offices. The limitations under Wis. Stats. 961.39 do not apply as Latisse is not a controlled substance as listed by the FDA.

ARE THERE MULTIPLE LEVELS OF LICENSURE FOR OPTOMETRISTS IN WI?

No. Prior to 8/1/2006 there were two levels: optometry licensure and a separate certificate for optometrists using diagnostic and therapeutic pharmaceutical agents. Now the optometry license covers the use of diagnostic and therapeutic pharmaceutical agents, so there is only one level of licensure.

CAN OPTOMETRISTS PRESCRIBE FOR THEMSELVES?

Criteria to be met for self-prescribing are outlined below:

- All prescribing by optometrists must be for ocular therapeutic purposes, as noted in 449.01(1)(a)2.c., Wisconsin Statutes.
- Optometrists who are allowed, under 449.18(1), Wisconsin Statutes, to use therapeutic pharmaceutical agents may only prescribe or administer schedule III, IV and V controlled substances as listed in 961.39, Wisconsin Statutes.
- “No practitioner shall prescribe, orally, electronically or in writing, or take without a prescription a controlled substance included in schedule I, II, III or IV for the practitioner’s own personal use.” 961.38(5), Wisconsin Statutes.

If an optometrist can comply with the above-cited statutes then self-prescribing may be permitted. All record keeping requirements must still be met for self-prescribing. Optometrists should also be mindful in all actions that it is considered “unprofessional conduct” to engage in conduct unbecoming a person licensed to practice as noted in Wis. Stats. 449.08(1)(e).