

MEDICAL SOCIETY
of the
STATE OF NEW YORK

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MEMORANDUM IN OPPOSITION

IN ASSEMBLY CODES COMMITTEE

A.1193-C (PAULIN)

**IN SENATE HIGHER EDUCATION
COMMITTEE**

S.4035-A (BAILEY)

**AN ACT to amend the education law, in relation to the use
of oral medications by optometrists**

This bill would amend the education law to expand the scope of practice of optometrists to enable them to have prescriptive privileges for a broad range of oral medications for patients. **The Medical Society of the State of New York opposes this legislation.**

This legislation appears to undo a carefully negotiated compromise between associations representing ophthalmologists and optometrists that would have permitted optometrists to prescribe a defined list of the most commonly used oral medications for a variety of eye diseases, but only where this has been appropriate training and appropriate oversight. This version would present a threat to patient safety and public health by providing optometrists with essentially an unfettered authority to prescribe several classes of oral medications without adequate training and virtually no accountability. Among the harmful changes to this legislation:

- Significantly reducing the training required of optometrists to prescribe these oral medications;
- Removing the requirement that optometrists taking the required certification course and final examination retake the course if they have failed the final examination three times. The eliminated requirement was intended to avoid the passage of the exam as a matter of chance rather than knowledge and competency;
- Eliminating a proposed requirement that optometrists to furnish evidence that they have completed required continuing education courses when they submit an application for license renewal; and
- Eliminating an important oversight element that had required that, for the first 5 years following implementation, prescribing optometrists must provide information to the State Education Department concerning their prescribing activities, and such information must be reviewed by a committee comprised of an ophthalmologist, optometrist, pharmacist and an expert in the public health field and cross-checked against existing records to ensure compliance with applicable requirements.

For all of the reasons stated above, we urge that this measure be defeated.

Respectfully submitted,

7/15/20

MMA - oppose

MSSNY DIVISION OF GOVERNMENTAL AFFAIRS