

## ARTICLE 3. FORMULARY OF LEGEND DRUGS

### Rule 1. General Provisions

#### 852 IAC 3-1-1 Applicability

Authority: IC 25-24-3-10

Affected: IC 25-24-3

Sec.1. This article establishes a formulary of legend drugs that may be prescribed, dispensed, or administered by an optometrist licensed in Indiana and certified under IC 25-26-15 *[IC 25-26-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]* and this title. *(Indiana Optometry Board; 852 IAC 3-1-1; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-1-1) to the Indiana Optometry Board (852 IAC 3-1-1) by P.L.157-2006, SECTION 77, effective July 1, 2006.*

#### 852 IAC 3-1-2 Legend drugs not listed in the formulary

Authority: IC 25-24-3-10

Affected: IC 25-24-3-16

Sec.2. All legend drugs which do not fall into the categories listed in the formulary as found in 857 IAC 2-3 are specifically excluded from use by an optometrist except for topical diagnostic legend drugs which an optometrist may administer under IC 25-26-15-19(a) *[IC 25-26-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]*. *(Indiana Optometry Board; 852 IAC 3-1-2; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-1-2) to the Indiana Optometry Board (852 IAC 3-1-2) by P.L.157-2006, SECTION 77, effective July 1, 2006.*

#### 852 IAC 3-1-3 Certified optometrists required

Authority: IC 25-24-3-10

Affected: IC 25-24-3

Sec.3. Except as provided by IC 25-26-15-19(a) *[IC 25-26-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]*, only an optometrist who holds a valid Indiana optometric legend drug certificate under IC 25-26-15 *[IC 25-26-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]* and this title may administer, dispense, or prescribe the legend drugs which fall into the categories listed in the formulary. *(Indiana Optometry Board; 852 IAC 3-1-3; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-1-3) to the Indiana Optometry Board (852 IAC 3-1-3) by P.L.157-2006, SECTION 77, effective July 1, 2006.*

#### 852 IAC 3-1-4 Injectable prohibition

Authority: IC 25-24-3-10

Affected: IC 25-24-3

Sec.4. Optometrists shall not prescribe, dispense, or administer injectables by any means. *(Indiana Optometry Board; 852 IAC 3-1-4; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-1-5) to the Indiana Optometry Board (852 IAC 3-1-4) by P.L.157-2006, SECTION 77, effective July 1, 2006.*

### Rule 2. Definitions

**852 IAC 3-2-1    Applicability**

Authority: IC 25-24-3-10  
 Affected: IC 25-24-3

Sec.1. The definitions in this rule apply throughout this article. (*Indiana Optometry Board; 852 IAC 3-2-1; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA*) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-2-1) to the Indiana Optometry Board (852 IAC 3-2-1) by P.L.157-2006, SECTION 77, effective July 1, 2006.

**852 IAC 3-2-2    "Patient's physician" defined**

Authority: IC 25-24-3-10  
 Affected: IC 25-24-3-16

Sec.2. "Patient's physician", as referred to in IC 25-26-15-14 [*IC 25-26-15 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.*], means that licensed medical physician who, as specified by the patient and in the professional judgment of the optometrist, is the most appropriate provider with whom to communicate based upon the nature of the patient's condition and the medication being utilized. (*Indiana Optometry Board; 852 IAC 3-2-2; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2252; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA*) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-2-4) to the Indiana Optometry Board (852 IAC 3-2-2) by P.L.157-2006, SECTION 77, effective July 1, 2006.

**Rule 3.      Formulary**

**852 IAC 3-3-1    Formulary of legend drugs**

Authority: IC 25-24-3-10  
 Affected: IC 25-24-3-16; IC 35-48-1

Sec.1. (a) Any legend drug for the treatment of the eye or associated structures of the eye.

(b) Controlled substances as defined in IC 35-48-1 are prohibited from use by an optometrist. (*Indiana Optometry Board; 852 IAC 3-3-1; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099; filed Jun 30, 1999, 2:45 p.m.: 22 IR 3414; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; filed Nov 25, 2002, 10:30 a.m.: 26 IR 1104; readopted filed Sep 26, 2008, 10:54 a.m.: 20081015-IR-852080345RFA*) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-3-16) to the Indiana Optometry Board (852 IAC 3-3-1) by P.L.157-2006, SECTION 77, effective July 1, 2006.

**852 IAC 3-3-2    Patient's physician notification**

Authority: IC 25-24-3-10  
 Affected: IC 25-24-3

Sec.2. In the best interest of the patient's health, a certified optometrist who prescribes, dispenses, or administers any legend drug which falls within the categories of section 16 of this rule is encouraged to notify the patient's physician of the use of the legend drug. (*Indiana Optometry Board; 852 IAC 3-3-2; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896; readopted filed Jul 19, 2007, 12:56 p.m.: 20070808-IR-852070059RFA*) NOTE: Transferred from the Indiana Optometric Legend Drug Prescription Advisory Committee (857 IAC 2-3-17) to the Indiana Optometry Board (852 IAC 3-3-2) by P.L.157-2006, SECTION 77, effective July 1, 2006.

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