

TITLE 857 INDIANA OPTOMETRIC LEGEND DRUG PRESCRIPTION ADVISORY COMMITTEE

ARTICLE 1. CERTIFICATION

Rule 1. Definitions

857 IAC 1-1-1 Definitions

Authority: IC 25-26-15-13

Affected: IC 25-26-15

Sec. 1. (a) All terms which are defined in IC 25-26-15 shall have the same meaning as they are so defined when used in this title.

(b) The definitions in this rule apply throughout this title. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-1-1; filed May 15, 1992, 5:00 p.m.: 15 IR 2249; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

857 IAC 1-1-2 "Bureau" defined

Authority: IC 25-26-15-13

Affected: IC 25-1-5-3; IC 25-26-15

Sec. 2. "Bureau" refers to the health professions bureau established under IC 25-1-5-3. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-1-2; filed May 15, 1992, 5:00 p.m.: 15 IR 2249; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

Rule 2. Continuing Education

857 IAC 1-2-1 Scope of rule

Authority: IC 25-26-15-13

Affected: IC 25-26-15-16; IC 25-26-15-18

Sec. 1. This rule establishes the requirements for continuing education both to obtain an Indiana optometric legend drug certificate under IC 25-26-15-16(2) and to renew a certificate under IC 25-26-15-18. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-2-1; filed May 15, 1992, 5:00 p.m.: 15 IR 2249; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

857 IAC 1-2-2 Course approval

Authority: IC 25-26-15-13

Affected: IC 25-26-15-16; IC 25-26-15-18

Sec. 2. (a) The sponsoring organization must file an application provided by the bureau for course work in ocular pharmacology. The application shall include the following:

- (1) Name of lecturer.
- (2) Academic and professional background of lecturer.
- (3) Brief summary of content of program.
- (4) Date and location of program.
- (5) Number of clock hours of continuing education requested.
- (6) Name of the person who will monitor attendance and the manner in which attendance will be monitored.
- (7) Any other pertinent information required by the committee.

(b) As a condition to approval of programs, the sponsoring organization must agree to provide participants with a record of attendance and to retain records of attendance by participants for four (4) years from the date of the program. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-2-2; filed May 15, 1992, 5:00 p.m.: 15 IR 2249; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

857 IAC 1-2-3 Standards for approval; length of approval time

Authority: IC 25-26-15-13

Affected: IC 25-26-15-16; IC 25-26-15-18

Sec. 3. (a) The committee will approve a course if it determines that the course will make a significant contribution to the professional knowledge of optometrists in their understanding of ocular pharmacology. In determining if a course meets this section, the committee will consider the following:

- (1) The course has substantial content.
- (2) The course content directly relates to ocular pharmacology or ocular therapeutics.
- (3) Each faculty member who has teaching responsibility in the course is qualified by academic work or practical experience to teach the assigned subject.
- (4) The physical setting for the course is suitable.
- (5) High quality written materials, including notes and outlines, are available to all optometrists who enroll at, or prior to, the time the course is offered.
- (6) The course is of sufficient length to provide a substantial educational experience. Courses of less than one (1) hour will be reviewed carefully to determine if they furnish a substantial educational experience.
- (7) Appropriate educational methodology is used, including, but not limited to, the following:
 - (A) Prepared library packages.
 - (B) Courses of programmed instruction.
 - (C) Active participation and demonstration.
 - (D) Audio-visual materials.
 - (E) Workshops with live presentations of clinical cases.
- (8) An adequate number of instructors is provided for the course. If audio-visual tapes are used as teaching materials, live presentations or discussion leaders must accompany the replaying of the tapes.

(b) Once a course is approved under this section, the course is approved for four (4) years from the date of initial approval if the instructor remains the same and the course content remains essentially the same in substance. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-2-3; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; filed Jan 27, 1994, 5:00 p.m.: 17 IR 1098; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

Rule 3. Application and Renewal of the Indiana Optometric Legend Drug Certificate

857 IAC 1-3-1 Applicability

Authority: IC 25-26-15-13

Affected: IC 25-26-15

Sec. 1. This rule establishes the requirements concerning applications and fees for the issuance or renewal of certificates for optometrists to administer, dispense, and prescribe legend drugs as provided for under IC 25-26-15. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-3-1; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

857 IAC 1-3-2 Original certification

Authority: IC 25-26-15-13

Affected: IC 25-26-15

Sec. 2. To obtain an original certificate, an optometrist must do all of the following:

- (1) Complete an Indiana optometric legend drug certificate application which shall include the following information:
 - (A) Name.
 - (B) Business name (if applicable).
 - (C) Primary practice address.
 - (D) Indiana optometrist's license number.
 - (E) Signature and date.

(F) Answer whether or not any previous license or certificate held by the applicant has been surrendered, revoked, denied, or is pending action.

(2) Either:

(A) do both of the following:

- (i) provide proof of education in ocular pharmacology from a school or college of optometry or medicine by providing a transcript of the course work taken by the applicant from the school or college; and
- (ii) provide a score report certifying successful completion of the Treatment and Management of Ocular Disease (TMOD) examination that is sponsored by the International Association of Boards of Examiners in Optometry (IAB) and administered by the National Board of Examiners in Optometry; or

(B) provide proof that the applicant has obtained twenty (20) hours of continuing education course work in ocular pharmacology after January 1, 1991, in courses approved by the committee by providing copies of certificates proving attendance.

(Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-3-2; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896)

857 IAC 1-3-3 Renewal of the certificate

Authority: IC 25-26-15-13

Affected: IC 25-26-15

Sec. 3. (a) A certificate issued to an optometrist under IC 25-26-15 and this title expires on April 1 of each even-numbered year. The board shall renew a certificate under this section concurrently with the license of an optometrist to practice in Indiana.

(b) To renew a certificate, the optometrist must provide proof of thirty (30) hours of continuing education course work obtained since April 1 of the previous even-numbered year in courses approved by the committee under 857 IAC 1-2.

(c) For purposes of certification renewal, courses in ocular pharmacology or ocular therapeutics are acceptable to meet the continuing education requirement.

(d) An optometrist initially certified between April 1 of even-numbered years and March 31 of the succeeding odd-numbered year shall only be required to obtain fifteen (15) hours of continuing education for the initial renewal of the certificate.

(e) An optometrist initially certified between April 1st of odd-numbered years and March 31st of the succeeding even-numbered year shall not be required to obtain continuing education for the initial renewal of the certificate.

(f) Continuing education credits obtained for the original issuance of a certificate or to complete the continuing education requirements of a previous biennium may not be counted toward meeting the continuing education requirements under subsection (b). *(Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-3-3; filed May 15, 1992, 5:00 p.m.: 15 IR 2250; errata filed Jul 10, 1992, 9:00 a.m.: 15 IR 2465; filed Jan 27, 1994, 5:00 p.m.: 17 IR 1098; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896)*

Rule 4. Fees

857 IAC 1-4-1 Fees

Authority: IC 25-26-15-13

Affected: IC 25-26-15

Sec. 1. (a) An optometrist who applies for an Indiana optometric legend drug certificate under IC 25-26-15 and this title must pay a twenty dollar (\$20) fee.

(b) To renew a certificate, an optometrist must pay a twenty dollar (\$20) renewal fee.

(c) To restore a certificate which [*sic.*] that is expired, an optometrist must comply with subsection (b) and 857 IAC 1-3-3. *(Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 1-4-1; filed Jun 26, 1992, 5:00 p.m.: 15 IR 2464; filed Jun 6, 1996, 9:00 a.m.: 19 IR 3107)*

ARTICLE 2. FORMULARY OF LEGEND DRUGS

Rule 1. General Provisions

857 IAC 2-1-1 Applicability

Authority: IC 25-26-15-13
Affected: IC 25-26-15

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 and this title. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-1-1; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

857 IAC 2-1-2 Legend drugs not listed in the formulary

Authority: IC 25-26-15-13
Affected: IC 25-26-15-19

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). (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-1-2; 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*)

857 IAC 2-1-3 Certified optometrists required

Authority: IC 25-26-15-13
Affected: IC 25-26-15-19

Sec. 3. Except as provided by IC 25-26-15-19(a), only an optometrist who holds a valid Indiana optometric legend drug certificate under IC 25-26-15 and this title may administer, dispense, or prescribe the legend drugs which fall into the categories listed in the formulary. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-1-3; 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*)

857 IAC 2-1-4 Generic names (Repealed)

Sec. 4. (*Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099*)

857 IAC 2-1-5 Injectable prohibition

Authority: IC 25-26-15-13
Affected: IC 25-26-15

Sec. 5. Optometrists shall not prescribe, dispense, or administer injectables by any means. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-1-5; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

Rule 2. Definitions

857 IAC 2-2-1 Applicability

Authority: IC 25-26-15-13
Affected: IC 25-26-15

Sec. 1. The definitions in this rule apply throughout this article. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-2-1; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2251; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

857 IAC 2-2-2 “Independent” defined (Repealed)

Sec. 2. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-2-3 “Notify” defined (Repealed)

Sec. 3. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-2-4 “Patient's physician” defined

Authority: IC 25-26-15-13
Affected: IC 25-26-15-14

Sec. 4. “Patient's physician”, as referred to in IC 25-26-15-14, 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 Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-2-4; filed Jun 1, 1992, 5:00 p.m.: 15 IR 2252; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896)

Rule 3. Formulary

857 IAC 2-3-1 Adrenergic agonists (Repealed)

Sec. 1. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-2 Anesthetics (Repealed)

Sec. 2. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-3 Antibacterials (Repealed)

Sec. 3. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-4 Antihistamines; mast cell stabilizers; decongestant agents (Repealed)

Sec. 4. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-5 Anti-inflammatory agents (Repealed)

Sec. 5. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-6 Antivirals (Repealed)

Sec. 6. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-7 Beta adrenergic blocking agents (Repealed)

Sec. 7. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-8 Carbonic anhydrase inhibitors (Repealed)

Sec. 8. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-9 Direct acting cholinergic agents (Repealed)

Sec. 9. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-10 Hyperosmotic agents (Repealed)

Sec. 10. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-11 Mydriatics and cycloplegics (Repealed)

Sec. 11. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-12 Ocular lubrication; tear testing agents (Repealed)

Sec. 12. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-13 Ophthalmic dyes (Repealed)

Sec. 13. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-14 Combination drugs (Repealed)

Sec. 14. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-15 Nonsteroidal anti-inflammatory agents (Repealed)

Sec. 15. (Repealed by Indiana Optometric Legend Drug Prescription Advisory Committee; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099)

857 IAC 2-3-16 Formulary of legend drugs listed by category

Authority: IC 25-26-15-13
Affected: IC 35-48-1

Sec. 16. (a) Legend drugs that fall into the following categories are independent for treating the eye or associated structures

of the eye:

- (1) Topically applied drugs.
- (2) Oral antihistamine drugs.
- (3) Oral decongestant drugs.
- (4) Oral antimicrobial drugs.
- (5) Oral nonsteroidal anti-inflammatory drugs (NSAIDs).
- (6) Oral antiglaucoma drugs.
- (7) Oral analgesics, which may be prescribed for a period of time not to exceed five (5) days.
- (b) Controlled substances as defined in IC 35-48-1 are prohibited from use by an optometrist. (*Indiana Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-3-16; 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*)

857 IAC 2-3-17 Patient's physician notification

Authority: IC 25-26-15-13

Affected: IC 25-26-15

Sec. 17. 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 Optometric Legend Drug Prescription Advisory Committee; 857 IAC 2-3-17; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1099; readopted filed Apr 24, 2001, 10:21 a.m.: 24 IR 2896*)

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