

Chamberland & Cote
E Y E C A R E

Thank you, Chairwoman Bailey, Chairwoman Mathieson, and committee members for allowing me to testify in favor of LD 1803.

My name is Paul Cote, I am originally from Sanford, ME. I earned my B.A. in Biology from St. Anselm College, Manchester NH and my doctor of optometry degree from The New England College of Optometry in Boston, MA. I am a practice owner and have been a doctor of optometry for 30 years in Lewiston. I am a Past President of the Maine Optometric Association and more recently served for 12 years on the Maine State Board of Optometry.

The Maine State Board of Optometry regulates optometrists to ensure public safety by maintaining high standards and preventing unprofessional conduct. They examine and license qualified applicants in Maine. The board has six members: five practicing optometrists and one consumer member from the state. Responsibilities include addressing complaints and making them public record. The board mandates that optometrists complete 25 hours of continuing education annually. The board will set the requirements for the scope expansion for LD 1803.

State licensing programs regulate health care providers' privileges. Many states have performed these proposed in-office procedures for years without negative outcomes. For instance, from 1988 to 1998, Oklahoma reported around 5,000 laser surgeries by optometrists with no adverse effects. Similarly, Arkansas reported over 8,000 procedures from 2021 to 2024 with zero negative outcomes. Louisiana, Kentucky, and Alaska provided similar reports. Letters from these state boards of optometry are included for reference.

A study published last summer reviewed over 140,000 optometric laser procedures in twelve states and found a strong safety record. This is credited to comprehensive education, continuous advanced training at U.S. optometry schools, and regulation by professional boards of optometry. Due to this safety record, several other states are considering expanded scope legislation. Recently, Montana and West Virginia enacted laws to expand the scope for their states.

The Maine State Board of Optometry will review rules from 12 other states to ensure safety before permitting optometrists to perform laser procedures and other office procedures. The credentialing process will likely mirror requirements in those states that show success in their programs. Our professional board prioritizes public health and safety. Doctors of optometry are held to the same standard of care as all of the medical community is. That standard of care is not static; it evolves as medical knowledge, technology, education and practices change. Our professional board are the experts in procedures, education, and licensing. Please trust them to make unbiased licensing decisions. Optometrists will only perform these procedures once certified by the Board.

Thank you for your time, and I am happy to answer questions.

Paul Cote, O.D.

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THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF EXAMINERS IN OPTOMETRY

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March 12, 2025

Honorable Donna Bailey, Senate Chair
Honorable Kristi Mathieson, House Chair
Health Coverage, Insurance and Financial Services Committee
100 State House Station
Augusta, ME 04333

Dear Honorable Donna Bailey, Senate Chair and Honorable Kristi Mathieson, House Chair,

The Alaska Board of Examiners in Optometry has received no complaints regarding care rendered following the signing of CSHB101(FIN) into law on July 26, 2017, and the subsequent statute change of AS 08.72.278 and integration of regulation 12 AAC 48.040 that expanded optometric scope of practice in Alaska to allow increased access to care throughout the state of Alaska. The Alaska Board of Examiners in Optometry continues to monitor judiciously and carefully all aspects of optometric care for the benefit of the citizens of Alaska.

Sincerely,

Kathleen Rice, O.D.
Chair, Alaska Board of Examiners in Optometry



Arkansas Department of Health

State Board of Optometry

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Governor Sarah Huckabee Sanders

Renee Mallory, RN, BSN, Secretary of Health

Suzette Weast, Director

February 21, 2025

To Whom It May Concern,

In 2019, the Arkansas General Assembly passed Act 579 (HB 1251) to amend the definition of the practice of optometry and to modernize the practice of optometry to include: 1.) injections, excluding intravenous or intraocular injections; 2.) incision and curettage of a chalazion; 3.) removal and biopsy of skin lesions with low risk of malignancy, excluding lesions involving the lid margin or nasal to the puncta; 4.) laser capsulotomy, and; 5.) laser trabeculoplasty. This can be found in Arkansas Code §17-90-101(a)(3).

The first optometric physicians were licensed with the new credentials in January 2021. Optometric physicians are required to report the number of laser procedures and outcomes annually.

A total of 8,099 laser procedures have been reported with zero adverse outcomes. There were 1,135 reported in 2021, 1,821 reported in 2022, 2,610 reported in 2023, and 2,533 reported in 2024. There are 188 optometric physicians licensed in Arkansas to perform the procedures listed above. Arkansas has a total of 564 licensed optometrists.

Respectfully,

Beatrice Reed, O.D.

Board President



Andy Beshear
GOVERNOR

COMMONWEALTH OF KENTUCKY
BOARD OF OPTOMETRIC EXAMINERS

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Joe E. Ellis, OD
PRESIDENT

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EXECUTIVE DIRECTOR

SENT VIA ELECTRONIC TRANSMISSION
Honorable Donna Bailey, Senate Chair
Honorable Kristi Mathieson, House Chair
Health Coverage, Insurance and Financial Services Committee
100 State House Station
Augusta, ME 04333

Dear Senator Bailey, Representative Mathieson and Members of the Committee:

In 2011 the Kentucky Legislature passed Senate Bill 110 or the "Better Access to Quality Eye Care" bill. The Kentucky law became effective on June 8, 2011 and constituted an expansion of Optometrists' scope of practice which allowed Kentucky Optometrists to perform certain laser procedures, remove benign lesions from the eyelid and granted increased authority to allow medicines to be delivered by injections or other appropriate forms. The law also allowed the Kentucky Board of Optometric Examiners the authority to determine the scope of optometric practice in Kentucky outside of the procedures excluded in KRS 320.210. To date the Kentucky Board of Optometric Examiners has credentialed over 662 Optometrists to perform expanded therapeutic procedures. This law has been successful in delivering much needed medical eye care to underserved areas of the state as Optometrists credentialed in expanded therapeutic procedures practice in over 90% of Kentucky's 120 counties.

To date, there have been over 90,000 laser and surgical procedures performed in Kentucky by Optometrists. While there are potential complications to any procedure regardless if the procedure is performed by an Optometrist or Ophthalmologist, the Board of Optometric Examiners has received no complaints and has not been notified of any adverse outcomes relating to the performance of this expanded scope of practice.

Furthermore, there was no increase in malpractice rates with the passage of SB110. There is no difference in malpractice rates between Optometrists in Kentucky who have extended therapeutic privileges and those who do not and there is no difference in malpractice rates between Kentucky Optometrists and Optometrists in surrounding states without extended therapeutic privileges.

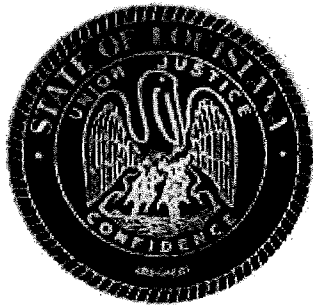
I hope this information has been helpful and should you require any additional information, please let us know.

Sincerely,

Joe E. Ellis, O.D.

Joe E. Ellis, OD

President, Kentucky Board of Optometric Examiners



Louisiana State Board of Optometry Examiners

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February 27, 2025

**Honorable Donna Bailey, Senate Chair
Honorable Kristi Mathieson, House Chair
Health Coverage, Insurance and Financial Services Committee
100 State House Station
Augusta, ME 04333**

Dear Senator Bailey, Representative Mathieson and Members of the Committee:

As President of the Louisiana State Board of Optometry Examiners (LSBOE), I am writing to provide insight into Louisiana's experience with the inclusion of laser procedures within the scope of optometric practice. Since the enactment of our legislation in 2014, Louisiana optometrists have been authorized to perform specific laser procedures to better serve the citizens of our state, with our state legislature determining that doing so would increase the availability of needed vision services, especially in rural areas of the state.

To date, based on the absence of any complaints to this board as the regulator of the optometry profession in Louisiana, Louisiana optometrists have successfully and safely implemented the expanded scope of practice and utilized their training to perform these procedures, ensuring access to vital eye care for our communities. To my knowledge, there have been no adverse effects reported to the LSBOE as a result of Louisiana optometrists performing laser procedures. This record demonstrates to me, as the LSBOE president, the competency and professionalism with which these treatments have been integrated into optometric practice in our state.

Whether to expand the scope of practice in Maine is, of course, solely an issue for the Maine legislature to determine, and this letter should not be construed as making any policy or legislative recommendations to you. Rather, my purpose in writing this letter is simply to share our experiences as a regulatory board here in Louisiana after our legislature approved allowing Louisiana optometrists the option to perform a broader range of needed services after receiving proper training. Currently, Louisiana is home to 630 licensed optometrists who have been instrumental in expanding access to

comprehensive eye care services, particularly in underserved areas. The incorporation of laser procedures has enhanced the ability of optometrists to address a range of ocular conditions effectively, with no corresponding impact on the number of complaints made to the LSBOE or adverse outcomes reported to the LSBOE.

Please do not hesitate to contact our office with any questions or additional information regarding Louisiana's experience.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Kasovich', with a stylized, flowing script.

**G. Kevin Kasovich, O.D.
President
Louisiana State Board of Optometry Examiners**



Board of Examiners in Optometry
State of Oklahoma
Office of the Executive Director

March 3, 2025

Honorable Donna Bailey, Senate Chair
Honorable Kristi Mathieson, House Chair
Health Coverage, Insurance and Financial Services Committee
100 State House Station
Augusta, ME 04333

Dear Senator Bailey, Representative Mathieson and Members of the Committee:

In 1988 laser training was provided to optometrists at a joint meeting with ophthalmologists. Language in the Optometric Scope of Practice was interpreted to allow the Oklahoma Board of Examiners in Optometry to certify those who had received this laser training to perform specific laser surgery procedures. Between 1988 and 1998 the Board required the reporting of laser surgery procedure results. Of the approximately 5,000 procedures performed, there were no negative outcomes.

Legislation, which took effect November 1, 1998, authorized the statutory definition of optometry to include certain laser surgery procedures and optometrists in Oklahoma have been providing these procedures for over 30 years. Since 1998 it is estimated that over 50,000 laser surgery procedures have been performed in which there were no complaints registered. The Board has been informed of only two (2) insurance settlements made involving PRK. In those two cases, confidentiality agreements were in place. There was one laser procedure settlement made due to an inadvertent improper YAG laser setting by an optometrist. Upon review, this has occurred in the field of ophthalmology as well.

Additionally, laser eye care is provided by optometrists in the majority of the 77 counties in the State of Oklahoma. The accessibility of this care provides an economic benefit to the citizens of the state since travel expenses are greatly reduced. Many Oklahoma optometrists also work together in the same offices as ophthalmologists. These optometrists provide care at the level of their laser certification. Medical insurance companies, including Medicare, provide authorized payments to optometrists that are licensed in Oklahoma when utilizing lasers to treat patients.

Today laser training is provided to students of optometry in all Colleges of Optometry, most of which are state supported. The Oklahoma Board of Optometry certifies all optometrists upon successful passing of Oklahoma State Board Exams. The laser exams are conducted at the time of the annual Board Exams. The National Board of Examiners (NBEO) provides laser testing on the laser education being taught in optometry schools for state Boards of Optometry.

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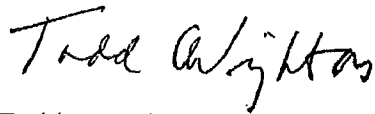
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Optometrists practicing in Veteran hospitals throughout the nation routinely provide laser procedures to patients if the optometrist's scope of practice by licensure will allow. Therefore, many optometrists practicing in VA hospitals will have an Oklahoma optometry license or license from another state that has an equivalent scope of practice.

As these procedures have become more routine in optometric offices in our state, the Board of Examiners in Oklahoma no longer requires ophthalmic laser treatment outcome reporting. With a long history of proficiently using medical laser technology, Oklahoma optometrists have provided advanced eye care to thousands of our patients.

Sincerely,

A handwritten signature in black ink that reads "Todd E. Wright". The signature is written in a cursive, flowing style.

Todd E. Wright, OD, FAAO
Executive Director
Oklahoma Board of Examiners in Optometry