

May 13, 2025

## Maine Board of Optometry Testimony

### Talking Points Regarding LD1803

#### Greeting and introduction

Neither for nor against.

The Maine Board of Optometry is a professional board with a statutory mandate that our sole purpose is to protect the health and welfare of Statements made here represent the Boards opinion only.

The board appreciates that the goal of this bill is to increase the care, may decrease costs to the patients and bring the practice up to the standards of care provided in some other States.

However; the board has concerns.

1. The new definition of the practice of optometry replaces existing Sec 19101 #24 with a new definition found in sec. 19102.

The Maine Board spent a great deal of time last year on this definition in our repeal and replace legislation last year. We feel that the existing definition is adequate with some revisions and additions. It also should be in the 19101 section for definitions.

The bill deletes 19101 #24 in its entirety, but 19101 # 24 could be amended by just deleting the last portion in 19101 “without the use of invasive surgery or tissue-altering lasers; “

We are concerned that provisions in this proposal may allow a non-licensed party to practice optometry without a license.

The entire bill relies heavily on rule making by the board.

The provisions for the use of hydrocodone will need experiential and educational requirement's set forth in rule, such as a SUD (substance use disorder) course, training in access to the patient panel, and some form of credentialing.

Rulemaking regarding surgical privileges for new graduates after a certain date would likely be allowed without additional requirements. Licensed doctors prior to that date would need to take an approved course, approved practical training, and both written and practical exam in order to be certified

Advisory Opinions and Declaratory Rulings: The authority to issue a declaratory opinion is ambiguous and outside the board's authority.

Contact Lens Prescription retention should be consistent with all record keeping.

Questions?

Thanks

19102 to replace 19101 #, 24. Practice of optometry. "Practice of optometry" means one or a combination of the following practices:

A. The examination, diagnosis, treatment and management of diseases, injuries and disorders of the eye and associated structures, as well as identification of related systemic conditions affecting the eye without the use of invasive surgery or tissue-altering lasers; and [PL 2023, c. 580, §8 (NEW).]

B. The provision, replacement or duplication of an ophthalmic lens without a written prescription from an individual licensed under the laws of this State to practice either optometry or medicine. [PL 2023, c. 580, §8 (NEW).]

Nothing in this definition prevents an individual or person from merely doing the mechanical work associated with adapting, fitting, bending, adjusting, providing, replacing or duplicating of eyeglasses with ophthalmic lenses.