

1 AN ACT

2 relating to the authorization of physicians and therapeutic
3 optometrists to dispense therapeutic contact lenses.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 551.003, Occupations Code, is amended by
6 adding Subdivision (42-a) to read as follows:

7 (42-a) "Therapeutic contact lens" means a contact lens
8 that contains one or more drugs and that delivers the drugs into the
9 wearer's eye.

10 SECTION 2. Section 551.004, Occupations Code, is amended by
11 adding Subsection (e) to read as follows:

12 (e) This subtitle does not prevent a physician or
13 therapeutic optometrist from dispensing and charging for
14 therapeutic contact lenses. This subsection does not authorize a
15 therapeutic optometrist to prescribe, administer, or dispense a
16 drug that is otherwise outside the therapeutic optometrist's scope
17 of practice.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.

David Dewhurst
President of the Senate

John Straube
Speaker of the House

I certify that H.B. No. 1740 was passed by the House on April 21, 2009, by the following vote: Yeas 140, Nays 1, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 1740 was passed by the Senate on May 21, 2009, by the following vote: Yeas 31, Nays 0.

Datsy Spaw
Secretary of the Senate

APPROVED: 19 JUN '09
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7PM O'CLOCK

JUN 19 2009

Colby Hunter III