Prior to starting formal rulemaking action, the Iowa Board of Optometry is seeking input from the public on draft changes to the Optometry rules to add prescriber requirements for the prescription monitoring program in accordance with HF 2377. The proposed amendments address requirements for an optometrist that prescribes a controlled substance, add continuing education requirements and add discipline that may be imposed. The Iowa Board of Optometry is requesting comments be submitted by September 14, 2018.

Comments may be submitted via mail, email, or fax to:

Sharon Dozier  
Iowa Board of Optometry  
Bureau of Professional Licensure  
321 E. 12th Street  
Des Moines, IA  50319-0075  

E-mail: Sharon.dozier@idph.iowa.gov  
Fax: 515/281-3121

**Legal Authority for Rule Making**

This rule making is proposed under the authority provided in Iowa Code sections 124.551A, 147.76, and 147.162.

**State or Federal Law Implemented**

This rule making implements, in whole or in part, Iowa Code chapters 124, 147, 154, and 272C.

**Purpose and Summary**

These proposed amendments address the requirements for an optometrist who prescribes a controlled substance, adds continuing education requirements and adds discipline that may be imposed.

**Fiscal Impact**

This rule making has no fiscal impact to the State of Iowa.

**Jobs Impact**

After analysis and review of this rule making, no impact on jobs has been found.

**Waivers**

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Division of Professional Licensure are subject to the waiver provisions accorded under 645—Chapter 18.
Public Comment

Any interested person may make written comments on the proposed amendments no later than XXXXXXXXX XX, 2018, addressed to Sharon Dozier, Professional Licensure Bureau, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075; E-mail sharon.dozier@idph.iowa.gov.

Public Hearing

A public hearing will be held XXXXXXXXX XX, 2018, from 9 to 9:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following amendments are proposed.

Item 1. Adopt the following new paragraph 181.3(2)“d”: 
d. A licensee who prescribes any opioid is required to complete a minimum of one hour of continuing education per biennium regarding guidelines for prescribing opioids, including recommendations on limitations on dosages and the length of prescriptions, risk factors for abuse, and nonopioid and nonpharmacologic therapy options, as a condition of license renewal. These hours may count towards the 50 hours of continuing education required for license renewal. The licensee shall maintain documentation of these hours, which may be subject to audit. If the continuing education did not cover the United States centers for disease control and prevention guideline for prescribing opioids for chronic pain, the licensee shall read the guideline prior to license renewal. “Opioid” means any drug that produces an agonist effect on opioid receptors and is indicated or used for the treatment of pain.

Item 2. Adopt the following new subrule 182.4(3):

182.4(3) Prior to prescribing any controlled substance an optometrist shall review the patient’s information contained in the prescription monitoring program database, unless the patient is receiving inpatient hospice care or long-term residential facility care.

Item 3. Adopt the following new subrule 183.2(31):

183.2(31) Prescribing any controlled substance in dosage amounts that exceed what would be prescribed by a reasonably prudent licensee.