320.210 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

(1) "Board" means the Kentucky Board of Optometric Examiners;

(2) "Practice of optometry" means:

(a) The evaluation, diagnosis, prevention, or surgical, nonsurgical, or related treatment of diseases, disorders, or conditions of the eye and its appendages and their impact on the human body provided by an optometrist within the scope of his or her education, training, and experience and in accordance with this chapter, the ethics of the profession, and applicable law. The practice of optometry includes the examination, diagnosis, and treatment of the human eye and its appendages to correct and relieve ocular abnormalities and to determine eye health, the visual efficiency of the human eye, or the powers or defects of vision in any authorized manner, including but not limited to:

1. Prescribing and adapting lenses, contact lenses, spectacles, eyeglasses, prisms, ocular devices, and all routes of administration of pharmaceutical agents, except controlled substances classified in Schedules I and II, as authorized by KRS 320.240; or

2. Employing vision therapy or orthoptics, low vision rehabilitation, and laser surgery procedures, excluding retina, LASIK, and PRK.

The practice of optometry includes the correction and relief of ocular abnormalities by surgical procedures not excluded in paragraph (b) of this subsection;

(b) The following procedures are excluded from the scope of practice of optometry, except for the preoperative and postoperative care of these procedures:

1. Retina laser procedures, LASIK, and PRK;

2. Nonlaser surgery related to removal of the eye from a living human being;

3. Nonlaser surgery requiring full thickness incision or excision of the cornea or sclera other than paracentesis in an emergency situation requiring immediate reduction of the pressure inside the eye;

4. Penetrating keratoplasty (corneal transplant), or lamellar keratoplasty;

5. Nonlaser surgery requiring incision of the iris and ciliary body, including iris diathermy or cryotherapy;

6. Nonlaser surgery requiring incision of the vitreous;

7. Nonlaser surgery requiring incision of the retina;

8. Nonlaser surgical extraction of the crystalline lens;

9. Nonlaser surgical intraocular implants;

10. Incisional or excisional nonlaser surgery of the extraocular muscles;

11. Nonlaser surgery of the eyelid for eyelid malignancies or for incisional cosmetic or mechanical repair of blepharochalasis, ptosis, and tarsorrhaphy;

12. Nonlaser surgery of the bony orbit, including orbital implants;
13. Incisional or excisional nonlaser surgery of the lacrimal system other than lacrimal probing or related procedures;
14. Nonlaser surgery requiring full thickness conjunctivoplasty with graft or flap;
15. Any nonlaser surgical procedure that does not provide for the correction and relief of ocular abnormalities;
16. Laser or nonlaser injection into the posterior chamber of the eye to treat any macular or retinal disease; and
17. The administration of general anesthesia;

(c) Any person shall be regarded as practicing optometry if he or she:

1. Performs or advertises to perform optometric operations of any kind, including diagnosing or treating diseases of the eye or visual system or deficiencies of the eye and its appendages, or attempts to correct the vision thereof;
2. Prescribes, provides, furnishes, adapts, uses, or employs lenses, prisms, contact lenses, visual therapy, orthoptics, ocular exercise, autofractometry, or any other means or device for the aid, relief, or correction of the human eye and its appendages, except upon the written prescription of a licensed optometrist; or
3. Uses the words "optometrist," "doctor of optometry," the letters "O.D," or other letters or title in connection with his or her name, which in any way represents him or her as being engaged in the practice of optometry; and

(d) Low vision rehabilitation;

(3) "Appendages" means the eyelids, the eyebrows, the conjunctiva, and the lacrimal apparatus;

(4) "Visual aid glasses" means eyeglasses, spectacles, or lenses designed or used to correct visual defects; provided, however, that nothing in the provisions of this chapter relating to the practice of optometry shall be construed to limit or restrict, in any respect, the sale of sunglasses designed and used solely to filter out light; and further provided that nothing in this chapter relating to the practice of optometry shall be construed to limit or restrict, in any respect, the sale of completely assembled eyeglasses or spectacles designed and used solely to magnify;

(5) "Orthoptic technician" means a person who trains and directs individuals to engage in ocular exercises designed to correct visual defects, and shall not be required to be licensed under the provisions of this chapter if such training and directions are done pursuant to and under the instructions of a duly-licensed physician, osteopath, or optometrist and consists solely of visual training, orthoptics, or ocular exercises; and

(6) "Low vision rehabilitation" means the evaluation, diagnosis, and management of the low vision patient, including but not limited to, prescription, low vision rehabilitation therapy, education, and interdisciplinary consultation when indicated. Any person who prescribes or provides comprehensive low vision

care for the rehabilitation and treatment of the visually impaired or legally blind patient; prescribes corrective eyeglasses, contact lenses, prisms, or filters; employs any means for the adaptation of lenses, low vision devices, prisms, or filters; evaluates the need for, recommends, or prescribes optical, electronic, or other low vision devices; or recommends or provides low vision rehabilitation services independent of a clinical treatment plan prescribed by an optometrist, physician, or osteopath is engaged in the practice of optometry.

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History: Amended 2011 Ky. Acts ch. 1, sec. 1, effective June 8, 2011. -- Amended 2000 Ky. Acts ch. 361, sec. 1, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 376, sec. 1, effective July 15, 1996. -- Amended 1986 Ky. Acts ch. 12, sec. 1, effective July 15, 1986. -- Amended 1978 Ky. Acts ch. 179, sec. 1, effective June 17, 1978. -- Created 1954 Ky. Acts ch. 183, sec. 2.

Legislative Research Commission Note (6/8/2011). 2011 Ky. Acts ch. 1, sec. 4, provides that this section and KRS 320.240 shall be known and may be cited as the "Better Access to Quality Eye Care Act."