



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5873/1
MED:cdc&wlj

2023 ASSEMBLY BILL 1226

April 11, 2024 - Introduced by Representatives CLANCY, STUBBS and MADISON.
Referred to Committee on Insurance.

AN ACT *to repeal and recreate* 449.07 (title); and *to create* 449.07 (2) and
449.08 (1) (f) of the statutes; **relating to:** spectacle lens prescriptions provided
by optometrists.

Analysis by the Legislative Reference Bureau

Under current law, an optometrist may be subject to professional discipline for engaging in unprofessional conduct. The Optometry Examining Board has promulgated rules specifying that unprofessional conduct includes failing to release, at no cost to the patient, a copy of the patient's spectacle lens prescription or contact lens prescription following release of the patient from contact lens fitting and initial follow-up care. The board's rules further define "contact lens prescription" and "lens prescription," so as to specify the minimum requirements for such prescriptions.

This bill codifies into statute that unprofessional conduct by an optometrist includes failing to release, at no cost to the patient, a copy of the patient's spectacle lens prescription or contact lens prescription following release of the patient from contact lens fitting and initial follow-up care. The bill further provides that the board must define by rule what such prescriptions must include. However, the bill specifically requires that a spectacle lens prescription include a measurement of the patient's pupillary distance, which is not required under the board's current rules.

ASSEMBLY BILL 1226**SECTION 1**

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 449.07 (title) of the statutes is repealed and recreated to read:

449.07 (title) Disciplinary proceedings and actions.

SECTION 2. 449.07 (2) of the statutes is created to read:

449.07 (2) The examining board may, in addition to or in lieu of any disciplinary action under sub. (1), assess a forfeiture of not more than \$1,000 for each separate offense against a person who violates sub. (1) (a) to (h). Each day of continued violation constitutes a separate offense.

SECTION 3. 449.08 (1) (f) of the statutes is created to read:

449.08 (1) (f) Failing to release, at no cost to the patient, a copy of the patient's ophthalmic lens prescription or contact lens prescription following release of the patient from contact lens fitting and initial follow-up care. The examining board shall, by rule, specify requirements for an ophthalmic lens prescription and contact lens prescription for purposes this paragraph, but the rules shall require that an ophthalmic lens prescription include a measurement of the patient's pupillary distance.

(END)