

SESSION OF 2025

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2223**

As Recommended by House Committee on  
Health and Human Services

**Brief\***

HB 2223 would amend the optometry law regarding scope of practice. The bill would also make technical and conforming amendments.

***Scope of Practice for Optometry***

The bill would amend the scope of practice for optometrists to:

- Allow the use of medical devices for the relief of any insufficiencies or abnormal conditions of the human eye and associated anatomical parts;
- Allow the use of medical devices and the administering, prescribing, or dispensing of pharmaceutical drugs through all routes of administration, except for those administered within the eye (intraocular injections) for the examination, diagnosis, and treatment of conditions affecting the eyes or vision;
- Allow the following specified procedures and treatments:
  - The removal of non-perforating foreign bodies from the clear, dome-shaped outer layer of the eye that covers the iris and pupil (cornea), the mucous membrane that covers the front of

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

the eye and lines the inside of the eyelids (conjunctiva), or eyelids;

- The removal of eyelashes;
- The scraping of the cornea for diagnostic tests, smears, or cultures;
- The dilation, probing, irrigation, or closing of the tear drainage structure of the eye;
- The expression of small, dome-shaped lesions that appear on the inner surface of the eyelid (conjunctival follicles) or small, fluid-filled sacs that form on the clear membrane covering the white of the eye (conjunctival cysts);
- The removal of dead, damaged, or infected tissue (debridement) from the thin, transparent layer of cells that covers the outer surface of the cornea (corneal epithelium);
- The making of a small incision in the eyelid to drain swelling of the meibomian gland, which is located under the eyelid, resulting in a cyst-like lump (chalazion), and removal of the contents (incision and curettage of a chalazion);
- The removal and biopsy of skin lesions without known cancer growth or tumor (malignancy);
- The performance of laser procedures after cataract surgery to create a small opening in the cloudy capsule to restore clear vision (laser capsulotomy);
- The performance of laser treatment for certain glaucomas to improve fluid drainage in the eye to lower intraocular pressure (laser trabeculoplasty); and
- The performance of laser treatment to create a hole in the iris to relieve a block of the pupil of the eye (laser peripheral iridotomy); and

- Permit the performance of additional procedures that are not specifically prohibited by the bill that are within the scope of a licensee's education and training for the treatment of any insufficiencies or abnormal conditions of the human eye and its attachments or appendages (adnexa) as authorized by rules and regulations adopted by the Board of Examiners in Optometry (Board).

***Specific Exclusions from the Scope of Practice of Optometry***

The bill would specify that the scope of practice of optometry could include pre- and post-operative care for any of the following procedures, but would not include the performance of the following specified procedures:

- Surgery to repair or prevent damage to the retina, the light-sensitive tissue at the back of the eye (retinal surgery);
- Replacement of the entire damaged or diseased cornea with a healthy donor cornea (penetrating keratoplasty or corneal transplant);
- Administration of or surgery performed under general anesthesia;
- Surgery related to the removal of the eye from a living human being;
- Surgical extraction of the flexible clear membrane that sits between the pupil and retina (crystalline lens);
- Surgical intraocular implants;
- Removal of tissue from the muscles that control the movements of the eye (incisional or excisional surgery of extraocular muscles);

- Surgery of the skeletal cavity in the skull that houses the eyeball and its associated structures (bony orbit);
- Laser vision correction surgeries that reshape the cornea to improve vision (Laser-assisted *in situ* keratomileusis [LASIK] or photorefractive keratectomy [PRK]);
- Laser procedures to treat small, opaque spots that appear in the field of vision (YAG laser vitreolysis); and
- Surgery of the eyelid for cosmetic or mechanical repair of eyelid conditions, including procedures to address recurrent swelling (blepharochalasis) or drooping eyelid (ptosis) and procedures to partially close the eyelids (tarsorrhaphy).

### ***Credentialing***

The bill would require any licensee applying for credentialing to complete and swear to an application form supplied by the Board as well as pay any additional fees as set by the Board in rules and regulations.

The bill would require the Board to establish credentialing requirements a licensee must meet to administer or perform the procedures permitted under the scope of practice.

The bill would also require the Board to maintain and make available a public directory including the names and addresses of all optometrists licensed by the Board.

### **Background**

The bill was introduced by the House Committee on Health and Human Services by Representative Buehler on

behalf of the Kansas Optometric Association. [Note: A companion bill, SB 291, has been introduced in the Senate.]

### ***House Committee on Health and Human Services***

In the House Committee hearing, **proponent** testimony was provided by representatives of the Kansas Chamber, Kansas Optometric Association, Northeastern State University – Oklahoma College of Optometry, an optometrist, and a private citizen. The proponents indicated the bill would modernize the statutorily defined practice of optometry in Kansas and allow currently practicing optometrists as well new graduates to practice optometry to the full extent of their education and training.

Written-only proponent testimony was provided by representatives of Community Health Center of Southeast Kansas, the Kansas Board of Examiners in Optometry, the Pittsburg Area Chamber of Commerce, five optometrists, and one private citizen.

**Opponent** testimony was provided by Senator Clifford, representatives of the Kansas Medical Society and the Kansas Society of Eye Physicians and Surgeons, and a doctor trained in both optometry and ophthalmology. The opponents indicated the bill would expand the scope of practice for optometrists beyond their training by allowing non-physicians to perform surgery. The opponents generally stated that there is not a shortage of optometrists or ophthalmologists in Kansas and expressed concerns regarding the level of training optometrists may receive in the use of lasers.

**Neutral** testimony was provided by the Executive Director of the Kansas State Board of Healing Arts, who expressed concerns regarding the use of lasers, which is generally considered a type of surgery to be performed by medical doctors or doctors of osteopathy. The Executive Director also noted concerns regarding prescriptive authority

and stated that optometrists could currently perform all of the procedures added by the bill under delegatory authority of an ophthalmologist.

### **Fiscal Information**

According to the fiscal note prepared by the Division of Budget on the bill, the Board of Examiners in Optometry indicates enactment of the bill would have a negligible fiscal effect on the Board's operations.

Health; healthcare; optometry; Board of Examiners in Optometry