

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Optometrists practice act amendments.

Sponsored by: Joint Labor, Health & Social Services Interim  
Committee

A BILL

for

1 AN ACT relating to optometry; amending optometrists' scope of  
2 practice; prohibiting an optometrist from performing  
3 specified procedures; amending optometrists' prescription and  
4 pharmaceutical drug prescribing authority; directing the  
5 application of optometry-related fines and penalties;  
6 directing the board of examiners in optometry to determine  
7 licensure and continuing education requirements as specified;  
8 repealing provisions that define unlawful conduct; amending  
9 provisions related to volunteer licensing; authorizing rule  
10 making; removing obsolete language; making conforming  
11 amendments; and providing for effective dates.

12

1 *Be It Enacted by the Legislature of the State of Wyoming:*

2 \*\*\*\*\*  
3 **STAFF COMMENT**  
4 **For context, this draft includes the text of**  
5 **repealed provisions (shown in stricken format).**  
6 \*\*\*\*\*  
7

8 **Section 1.** W.S. 33-23-101(b), by creating new  
9 subsections (c) through (e) and (k) and renumbering  
10 subsections (c) through (f) as subsections (f) through (j),  
11 33-23-102, 33-23-104, 33-23-106(a), 33-23-109(a) and (c),  
12 33-23-114 and 33-23-117(k) are amended to read:

13

14 **33-23-101. Definitions and exceptions.**

15 \*\*\*\*\*  
16 **STAFF COMMENT**  
17 **The committee may want to consider dividing the**  
18 **subsection below into subparts to make it easier to**  
19 **read.**  
20 \*\*\*\*\*  
21

22 (b) The practice of optometry ~~is the employment of any~~  
23 ~~means other than the use of therapeutic lasers or surgery for~~  
24 ~~diagnosing and treating ocular pathology and for the~~  
25 ~~measurement of the powers or range of human vision or the~~  
26 ~~determination of the accommodative and refractive status of~~  
27 ~~the human eye or the scope of its functions in general or the~~  
28 ~~adaptation of lenses or frames for the aid thereof~~ occurs

1 when a person employs primary eye care procedures, including  
2 the prescription of diagnostic and therapeutic pharmaceutical  
3 agents, medical devices and ophthalmic surgery, or measures  
4 the powers and range of vision of the human eye using  
5 subjective and objective means, including the use of lenses  
6 and prisms and other automated testing devices to determine  
7 the accommodative and refractive state and general scope of  
8 function of the eye. The practice of optometry also occurs  
9 when a person engages in the adaptation, sale and dispensing  
10 of frames and lenses in all their forms, including plano or  
11 zero power contact lenses, to overcome errors of refraction  
12 and to restore as nearly as possible normal human vision, or  
13 for orthotic, prosthetic, therapeutic or cosmetic purposes  
14 with respect to contact lenses. The practice of optometry  
15 also includes the examination, diagnosis and treatment of  
16 abnormal conditions and diseases of the human eye, its adnexa  
17 and visual system, including the use or prescription of vision  
18 therapy, ocular exercises, rehabilitation therapy, subnormal  
19 or low vision therapy, the ordering of appropriate diagnostic  
20 laboratory or imaging tests and the dispensing of samples to  
21 initiate treatment.

22

1       (c) Except as otherwise provided by subsection (d) of  
2 this section, a person holding a license to practice optometry  
3 under this act is authorized to perform surgical and other  
4 advanced optometric procedures upon the human eye and adnexa  
5 in which in vivo tissue is injected, cut, burned, frozen,  
6 sutured, vaporized, coagulated or photodisrupted by the use  
7 of surgical instrumentation including a scalpel, cryoprobe,  
8 laser, electric cautery or ionizing radiation.

9  
10       (d) The following ophthalmic procedures are excluded  
11 from the practice of optometry, except preoperative and  
12 postoperative care of these procedures by an optometrist  
13 shall be authorized:

14  
15               (i) The following procedures:

16  
17                       (A) Retina laser procedures;

18  
19                       (B) Penetrating keratoplasty or corneal  
20 transplants;

21  
22                       (C) Administration of general anesthesia;

23

1                   (D) Surgery performed with general  
2 anesthesia;

3  
4                   (E) Laser or non-laser procedures into the  
5 vitreous chamber of the eye for the purpose of treating any  
6 retinal or macular disease.

7  
8                   (ii) The following non-laser procedures:

9  
10                   (A) Surgery related to removal of an eye from  
11 a living person;

12  
13                   (B) Surgery requiring full thickness incision  
14 or excision of the cornea or sclera, other than paracentesis,  
15 in an emergency requiring immediate reduction of pressure  
16 inside the eye;

17  
18                   (C) Surgery requiring incision of the iris or  
19 ciliary body, including diathermy or cryotherapy;

20  
21                   (D) Surgery requiring incision of the  
22 vitreous;

23

1                   (E) Surgery requiring incision of the retina;

2

3                   (F) Surgical extraction of the crystalline  
4 lens;

5

6                   (G) Surgical intraocular implants;

7

8                   (H) Incisional or excisional surgery of the  
9 extraocular muscles;

10

11                   (J) Surgery of the eyelid for suspected  
12 malignancies or for incisional cosmetic or mechanical repair  
13 of blepharochalasis, ptosis or tarsorrhapy;

14

15                   (K) Surgery of the bony orbit, including  
16 orbital implants;

17

18                   (M) Incisional or excisional surgery of the  
19 lacrimial system other than probing or related procedures;

20

21                   (N) Surgery requiring full thickness  
22 conjunctivoplasty with graft or flap;

23

1                   (O) Pterygium surgery.

2

3                   (e) In a public health emergency, the state health  
4 officer may authorize licensed optometrists to administer  
5 inoculations for systemic health reasons.

6 \*\*\*\*\*

7                   STAFF COMMENT

8                   In subsection (e), above, the committee may want to  
9                   consider referencing the definition of a public  
10                  health emergency from W.S. 35-4-115(a)(i).  
11                  However, that definition requires a declaration of  
12                  a public health emergency by the Governor. If  
13                  reference to the definition was included, it likely  
14                  would be appropriate to remove from the subsection  
15                  the final words "for systemic health reasons." The  
16                  definition is as follows:

17  
18                  35-4-115. Definitions.

19                   (a) As used in this article:

20                   (i) "Public health emergency" means an  
21                  occurrence or imminent threat of an illness or  
22                  health condition caused by an epidemic or pandemic  
23                  disease, a novel and highly fatal infectious agent  
24                  or a biological toxin that poses a substantial risk  
25                  of a significant number of human fatalities or  
26                  incidents of permanent or long-term disability.  
27                  The governor shall declare when a public health  
28                  emergency exists or has ended;

29 \*\*\*\*\*

30

31                  ~~(e)~~(f) The provisions of this chapter do not prevent  
32                  a physician from treating or fitting glasses to the human  
33                  eye, or a physician or optometrist from filling prescriptions  
34                  or orders. Nor do the provisions of this chapter prevent the  
35                  replacing, duplicating or repairing of ophthalmic lenses or

1 the frames or fittings thereof by persons qualified to write  
2 or fill prescriptions or orders under the provisions of this  
3 act, nor prevent the doing of the merely mechanical work upon  
4 such lenses or upon the frames or fittings thereof.

5  
6 ~~(d)~~ (g) It is unlawful for any person to dispense,  
7 replace or duplicate ophthalmic lenses or any contact lenses  
8 without a prescription or order from a physician or  
9 optometrist. A contact lens prescription shall specifically  
10 state that it is intended for contact lenses and include the  
11 type and specification of the contact lenses being  
12 prescribed. An optometrist shall provide, at no additional  
13 cost to the patient, a written copy of his contact lens  
14 prescription. The prescription shall only be released after  
15 the contact lenses have been adequately fitted and no more  
16 follow-up visits are necessary to assure the contact lenses  
17 fit the patient. The essential information necessary to  
18 duplicate the prescription shall be defined by rules adopted  
19 by the board. All contact lens prescriptions shall have an  
20 expiration date after which it shall be unlawful to fill such  
21 prescription. The prescribing optometrist shall not be liable  
22 for any injury or condition to a patient resulting from  
23 negligence in packaging, manufacturing or dispensing lenses

1 by anyone other than the prescribing optometrist. Any person  
2 may file a complaint with the board seeking disciplinary  
3 action concerning any violation of this subsection. The board  
4 shall investigate or cause to be investigated and shall  
5 resolve a complaint on its own motion or upon receipt of a  
6 written complaint as provided by W.S. 33-23-110. No person  
7 shall improperly fill a contact lens prescription or fill an  
8 expired prescription.

9

10 ~~(e)~~(h) The provisions of this chapter do not prohibit  
11 the sale of goggles, sunglasses, colored glasses or  
12 occupational eye-protective devices if they do not have  
13 refractive values, nor do the provisions of this act prohibit  
14 the sale of complete ready-to-wear eyeglasses as merchandise  
15 by any person not holding himself out as competent to examine,  
16 test or prescribe for the human eye or its refractive errors.

17

18 ~~(f)~~(j) Nothing in this act shall prevent an  
19 optometrist from using assistants in his practice under his  
20 general supervision as defined in board rule.

21

22 (k) Nothing in this chapter shall be construed as  
23 allowing any agency, board or other entity except the Wyoming

1 state board of examiners in optometry to determine what  
2 constitutes the practice of optometry.

3  
4 \*\*\*\*\*  
5 **STAFF COMMENT**  
6 Subsection (k) is added at the request of the proponents of  
7 this bill. The language may not be an accurate statement of  
8 the law since both the Legislature and the Wyoming courts  
9 (and likely the Governor acting within statutory confines),  
10 have ultimate authority to determine what is the practice of  
11 optometry. This language is not used in other professional  
12 licensing statutes. The committee could consider alternative  
13 language such as: "The board of examiners in optometry shall  
14 have exclusive power to determine the scope of practice of  
15 optometry consistent with this Act."  
16 \*\*\*\*\*

17  
18 33-23-102. Optometrist's use of certain drugs;  
19 limitation.

20  
21 An optometrist shall be allowed to prescribe and administer  
22 ~~and prescribe~~, by any method of administration, approved  
23 pharmaceutical agents ~~related to the practice of optometry,~~  
24 , including narcotics, used in the diagnosis, treatment,  
25 prevention or mitigation of abnormal conditions and diseases  
26 of the human eye, its adnexa and the visual system, excluding  
27 ~~the following categories of oral medications:~~  
28 ~~immunosuppressives, steroids, anti-fungals, sedative~~  
29 ~~hypnotics, and~~ schedule I and II narcotics, but allowing for

1 the prescribing of hydrocodone or hydrocodone-containing  
2 pharmaceutical agents regardless of schedule for an initial  
3 period not exceeding five (5) days, plus subsequent refills  
4 after sufficient physical examination of the patient, for the  
5 purpose of diagnosis and treatment of ocular abnormalities.

6 ~~No medication shall be given by injection. Oral anti-glaucoma~~  
7 ~~medications may be administered for a period not to exceed~~  
8 ~~forty eight (48) hours.~~ An optometrist who administers or  
9 prescribes pharmaceutical agents for examination or for  
10 treatment shall provide the same standard of care to patients  
11 as that provided by a physician utilizing the same  
12 pharmaceutical agents for examination or treatment.

13  
14 **33-23-104. Board of examiners in optometry; created;**  
15 **composition; designation; duties generally; appointment;**  
16 **qualifications and terms of members; vacancies; oath.**

17  
18 The Wyoming state board of examiners in optometry is created  
19 to carry out the purposes and enforce the provisions of this  
20 act. The board shall consist of three (3) members appointed  
21 by the governor. ~~In 2005, one (1) board member shall be~~  
22 ~~appointed for a term of three (3) years, one (1) board member~~  
23 ~~shall be appointed for a term of two (2) years and one (1)~~

1 ~~board member shall be appointed for a term of one (1) year.~~  
 2 ~~Thereafter, t~~The terms of the office of the members appointed  
 3 shall be three (3) years or until their successors have  
 4 qualified. Each member of the board shall be a resident of  
 5 the state of Wyoming and shall have been engaged in the actual  
 6 practice of optometry in the state for at least one (1) year  
 7 prior to appointment. The governor shall make all  
 8 appointments to fill vacancies caused by death, resignation  
 9 or removal. The governor may remove any member as provided  
 10 in W.S. 9-1-202. The members of the board, before entering  
 11 upon their duties, shall take and subscribe to the oath  
 12 required to be taken by state officers and shall file the  
 13 oath in the office of the secretary of state.

14 \*\*\*\*\*  
 15 **STAFF COMMENT**  
 16 Just after the stricken language, above, the proponents of  
 17 this bill have requested that the language "or until their  
 18 successors have qualified" be stricken. This language is  
 19 likely necessary as a means of assuring a continuing quorum  
 20 on the board, even where there might be delays or other  
 21 irregularities in the appointment of a new member. This is  
 22 a common provision in board statutes and likely should not be  
 23 stricken. This draft has NOT stricken the language. Please  
 24 advise if the Committee wishes to strike this language.

25 \*\*\*\*\*  
 26  
 27  
 28  
 29 \*\*\*\*\*  
 30 **STAFF COMMENT**

31 Section 106, below, is added at the request of the Committee.  
 32 Pursuant to the Wyoming Constitution, Article 7, Section 5,

1 fines and penalties must be deposited "to the public school  
2 fund...for the current support of the public schools...." As  
3 a result, the authority to allocate fines for the expenses of  
4 the board are stricken.

5 \*\*\*\*\*  
6

7 33-23-106. Board of examiners in optometry;  
8 compensation of members; disposition of funds.

9  
10 (a) Each member of the board may receive as compensation  
11 the sum paid each day to members of the state legislature for  
12 each day spent in board meetings and per diem and mileage as  
13 provided in W.S. 33-1-302(a)(vii). Expenses shall be paid  
14 from the fees,  ~~fines~~  and assessments received under the  
15 provisions of this act. All fees,  ~~fines,~~  assessments and other  
16 monies,  except fines and penalties,  received under the  
17 provisions of this act, may be used for meeting the expenses  
18 of the board and in carrying out the provisions of this act.  
19 In no event shall any expenses be charged against the state.

20  
21 33-23-109. Examinations;  ~~required of applicants for  
22 licensure; qualifications; existing practitioners, passing  
23 grade; reexamination; fees; renewal of license; retirement.~~

24



1 practice or changes in his place of practice; 2) the board's  
2 statutory authority to set and impose fees for examination,  
3 licensure and licensure renewal; 3) licensure, licensure  
4 reinstatement and licensure renewal date details.

5 \*\*\*\*\*  
6

7 ~~(b) No applicant shall be passed by the board who fails~~  
8 ~~to obtain a grade of seventy-five percent (75%) in every~~  
9 ~~subject upon which he is examined. If any applicant fails to~~  
10 ~~pass any examination, he shall be examined at the next or any~~  
11 ~~succeeding examination only in the subject in which he failed~~  
12 ~~to obtain a grade of eighty-five percent (85%). The applicant~~  
13 ~~shall apply for his license within six (6) months after he~~  
14 ~~has satisfactorily passed the examination or the examination~~  
15 ~~shall be of no effect. Before engaging in the practice of~~  
16 ~~optometry, and after the license has been delivered to him,~~  
17 ~~each licensed optometrist shall notify the board in writing~~  
18 ~~of the place where he intends to begin practice and of any~~  
19 ~~subsequent changes of his office location. Notices given to~~  
20 ~~him by the board shall be given by mailing to that address.~~

21  
22 (c) In addition to ~~subsections (a) and (b)~~ satisfying  
23 requirements imposed under subsection (a) of this section, an  
24 applicant for licensure under this act shall provide the board  
25 fingerprints and other information necessary for a criminal

1 history record background check as provided under W.S.  
2 7-19-201.

3  
4 ~~(d) The board of examiners, pursuant to W.S. 33-1-201,~~  
5 ~~shall establish fees for the standard examination, initial~~  
6 ~~license and the annual renewal of the license. Every~~  
7 ~~optometrist who desires to continue the practice of optometry~~  
8 ~~shall annually, on or before April 1, pay the board the~~  
9 ~~required renewal fee. A license which has expired due to~~  
10 ~~failure to renew may be reinstated by the board upon receipt~~  
11 ~~of the renewal fee and reinstatement and late fees set by the~~  
12 ~~board in accordance with W.S. 33-1-201 provided the request~~  
13 ~~for reinstatement is received in the board office no later~~  
14 ~~than June 30 of the year in which the license expired. An~~  
15 ~~optometrist who previously notified the board that he had~~  
16 ~~retired may renew his license by submitting renewal fees for~~  
17 ~~each year in which no license was issued and a reinstatement~~  
18 ~~fee within three (3) years of the expiration date of the last~~  
19 ~~license held. Upon retirement from active practice, an~~  
20 ~~optometrist shall notify the board in writing.~~

21

22 **33-23-111. Limitation on rights conferred by license;**  
23 **prohibited acts.**

1

2 (a) Nothing in this act shall be construed as  
3 conferring on the holder of a license issued by the board,  
4 the title "doctor of medicine," "ophthalmologist," or any  
5 other word or abbreviation indicating that he is engaged in  
6 the practice of medicine.

7

8 (b) It is unlawful:

9

10 ~~(i) For any person to approach any place of~~  
11 ~~employment either in person or through agents for the purpose~~  
12 ~~of selling ophthalmic lenses, eye examinations or optometric~~  
13 ~~services;~~

14

15 ~~(ii) For any person to advertise prescription~~  
16 ~~eyeglasses or contact lenses, which correct visual~~  
17 ~~deficiencies or defects, frames or their supporting~~  
18 ~~accessories or professional services in a false, deceptive or~~  
19 ~~misleading manner;~~

20

21 ~~(iii) For any person to make a sworn statement or~~  
22 ~~affidavit in connection with any matter relating to this act~~  
23 ~~proven to be false;~~

1

2 (iv) For any person not holding a license to  
3 practice optometry.

4 \*\*\*\*\*

5 STAFF COMMENT

6 Although not requested by the proponents of this bill,  
7 paragraph (iv), above, could be repealed because W.S. 33-23-  
8 103(a) already establishes that only licensed persons can  
9 practice optometry. Section 103(a) reads: "It is unlawful  
10 for any person in the state of Wyoming to practice or attempt  
11 to practice optometry or to advertise, or hold himself out as  
12 qualified to fit or adjust any lenses or lens in any manner  
13 or form as an aid to human eyesight, without first obtaining  
14 a license to practice optometry."

15 \*\*\*\*\*

16

17 33-23-114. Continuing education courses required.

18

19 All optometrists shall take courses of study in subjects  
20 relating to the practice of the profession of optometry for  
21 the utilization and application of new techniques, scientific  
22 and clinical advances, and achievements of research which  
23 will assure expansive and comprehensive care to the public.

24 The board shall ~~prescribe the length of study. Attendance~~  
25 ~~shall be at a course or courses approved by the board.~~  
26 ~~Attendance at any course or courses of study is to be~~  
27 ~~certified to the board upon a form provided by the board and~~  
28 ~~submitted by each optometrist to the board. The board may use~~  
29 ~~up to one half (1/2) of its annual renewal fees for the~~

1 ~~purposes of contracting with institutions of higher learning,~~  
2 ~~professional organizations, or qualified individuals to~~  
3 ~~provide educational programs that meet this requirement. The~~  
4 ~~board may also treat funds set aside for the purpose of~~  
5 ~~continuing education as state funds for the purpose of~~  
6 ~~accepting any funds made available under federal law on a~~  
7 ~~matching basis for the programs of continuing education. In~~  
8 ~~no instance may the board require a greater number of hours~~  
9 ~~of study than are available at approved courses held within~~  
10 ~~this state. The board may waive the requirements of this~~  
11 ~~section in cases of certified illness or undue hardship~~  
12 determine the requirements for continuing education pursuant  
13 to rules promulgated by the board.

14

15 **33-23-117. Optometry volunteer license.**

16

17 ~~(a) As used in this section, "low income uninsured~~  
18 ~~person" and "nonprofit health care facility" have the same~~  
19 ~~meanings as in W.S. 33-15-131(a).~~

20

21 ~~(b) For purposes of this section, a person shall be~~  
22 ~~considered retired from practice if the person's license or~~  
23 ~~certificate has expired.~~

1

2       ~~(c) The state board of optometry may issue, with or~~  
3 ~~without examination, a volunteer certificate to a person who~~  
4 ~~is retired from practice so that the person may provide~~  
5 ~~optometry services to low income uninsured persons at~~  
6 ~~nonprofit health care facilities. The board shall deny~~  
7 ~~issuance of a volunteer's certificate to a person who is not~~  
8 ~~qualified under this section to hold a volunteer's~~  
9 ~~certificate.~~

10

11       ~~(d) An application for a volunteer's certificate shall~~  
12 ~~include all of the following:~~

13

14               ~~(i) A copy of the applicant's optometry degree;~~

15

16               ~~(ii) One (1) of the following, as applicable:~~

17

18                       ~~(A) A copy of the applicant's most recent~~  
19 ~~license or certificate authorizing the practice of optometry~~  
20 ~~issued by a jurisdiction in the United States that licenses~~  
21 ~~persons to practice optometry; or~~

22

1                   ~~(B) A copy of the applicant's most recent~~  
2 ~~license equivalent to a license to practice optometry in one~~  
3 ~~(1) or more branches of the United States armed services that~~  
4 ~~the United States government issued.~~

5  
6                   ~~(iii) Evidence of one (1) of the following, as~~  
7 ~~applicable:~~

8  
9                   ~~(A) That the applicant has maintained for at~~  
10 ~~least ten (10) years immediately prior to retirement full~~  
11 ~~licensure in good standing in any jurisdiction in the United~~  
12 ~~States that licenses persons to practice optometry; or~~

13  
14                   ~~(B) That the applicant has practiced for at~~  
15 ~~least ten (10) years immediately prior to retirement in good~~  
16 ~~standing as an optometrist in one (1) or more of the branches~~  
17 ~~of the United States armed services; and~~

18  
19                   ~~(iv) A notarized statement from the applicant, on~~  
20 ~~a form prescribed by the board, that the applicant:~~

21

1                   ~~(A) Will not accept any form of remuneration~~  
2 ~~for any optometric services rendered while in possession of~~  
3 ~~a volunteer certificate;~~

4  
5                   ~~(B) Will devote his practice exclusively and~~  
6 ~~totally to providing medical services to low income uninsured~~  
7 ~~persons at a nonprofit health care facility in this state;~~  
8 ~~and~~

9  
10                   ~~(C) Will provide any other documentation that~~  
11 ~~the board reasonably may require.~~

12  
13                   ~~(c) The holder of a volunteer's certificate may provide~~  
14 ~~optometric services only on the premises of a nonprofit health~~  
15 ~~care facility in this state and only to low income uninsured~~  
16 ~~persons. The holder shall not accept any form of remuneration~~  
17 ~~for providing optometric services while in possession of the~~  
18 ~~certificate. The board may revoke a volunteer's certificate~~  
19 ~~on receiving proof satisfactory to the board that the holder~~  
20 ~~has engaged in practice in this state outside the scope of~~  
21 ~~the certificate.~~

22

1       ~~(f) A volunteer's certificate shall be valid for a~~  
2 ~~period of one (1) year, unless earlier revoked under~~  
3 ~~subsection (e) of this section or pursuant to title 33,~~  
4 ~~chapter 23 of the Wyoming statutes. A volunteer's certificate~~  
5 ~~may be renewed upon the application of the holder. The board~~  
6 ~~shall maintain a register of all persons who hold volunteer's~~  
7 ~~certificates. The board shall not charge a fee for issuing or~~  
8 ~~renewing a certificate pursuant to this section.~~

9  
10       ~~(g) To be eligible for renewal of a volunteer's~~  
11 ~~certificate, the holder of the certificate shall certify to~~  
12 ~~the board completion of any continuing education required~~  
13 ~~under this act as if the holder of the certificate were in~~  
14 ~~active practice. The board shall not renew a certificate if~~  
15 ~~the holder has not complied with the continuing education~~  
16 ~~requirements. The nonprofit health care facility in which the~~  
17 ~~holder provides optometric services may pay for or reimburse~~  
18 ~~the holder for any costs incurred in obtaining the required~~  
19 ~~continuing education.~~

20  
21       ~~(h) The board shall issue to each person who qualifies~~  
22 ~~under this section a volunteer's certificate that states the~~

1 ~~certificate holder is authorized to provide optometric~~  
2 ~~services pursuant to the laws of this state.~~

3  
4 ~~(j) Except as provided in this section, any person~~  
5 ~~holding a volunteer certificate issued by the board under~~  
6 ~~this section shall be subject to the requirements of this act~~  
7 ~~and the jurisdiction of the board as if he were licensed to~~  
8 ~~practice optometry under this act.~~

9  
10 (k) Optometrists may obtain volunteer licenses pursuant  
11 to W.S. 35-31-101 through 35-31-103. The board shall adopt  
12 rules to administer and enforce this section.

13 \*\*\*\*\*  
14 STAFF COMMENT  
15 W.S. 35-31-101 et seq., referenced in subsection  
16 (k) above, is the newly-enacted "Volunteer Health  
17 Services Program." The Program provides for the  
18 volunteer licensing of health care providers and  
19 medical facilities, including optometrists. The  
20 Program provides governmental immunity to health  
21 care providers and medical facilities who enter  
22 into contracts with the Department of Health to  
23 provide free services to low-income individuals.  
24 \*\*\*\*\*  
25

26 Section 2. W.S. 33-23-109(b) and (d), 33-23-111(b)(i)  
27 through (iii) and 33-23-117(a) through (j) are repealed.

28  
29 Section 3.

1

2           (a) For the purpose of the promulgation of rules as  
3 required or permitted by this act, this act is effective  
4 immediately upon completion of all acts necessary for a bill  
5 to become law as provided by Article 4, Section 8 of the  
6 Wyoming Constitution.

7

8           (b) Except as provided by subsection (a) of this  
9 section, this act is effective July 1, 2019.

10

11

(END)