

Part 1 General Provisions

58-16a-101 Short title.

This chapter is known as the "Utah Optometry Practice Act."

Enacted by Chapter 287, 1991 General Session

58-16a-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Board" means the Optometrist Licensing Board created in Section 58-16a-201.
- (2) "Contact lens" means any lens that:
 - (a) has a spherical, cylindrical, or prismatic power or curvature;
 - (b) is made pursuant to a current prescription; and
 - (c) is intended to be worn on the surface of the eye.
- (3)
 - (a) "Contact lens prescription" means a written or verbal order for contact lenses that includes:
 - (i) the commencement date of the prescription;
 - (ii) the base curve, power, diameter, material or brand name, and expiration date;
 - (iii) for a written order, the signature of the prescribing optometrist or physician; and
 - (iv) for a verbal order, a record maintained by the recipient of:
 - (A) the name of the prescribing optometrist or physician; and
 - (B) the date when the prescription was issued or ordered.
 - (b) A prescription may include:
 - (i) a limit on the quantity of lenses that may be ordered under the prescription if required for medical reasons documented in the patient's files; and
 - (ii) the expiration date of the prescription, which shall be two years from the commencement date, unless documented medical reasons require otherwise.
 - (c) When a provider prescribes a private label contact lens for a patient the prescription shall include:
 - (i) the name of the manufacturer;
 - (ii) the trade name of the private label brand; and
 - (iii) if applicable, the trade name of the equivalent national brand.
- (4) "Contact lens prescription verification" means a written request from a person who sells or provides contact lenses that:
 - (a) is sent to the prescribing optometrist or physician; and
 - (b) seeks the confirmation of the accuracy of a patient's prescription.
- (5) "Eye and its adnexa" means the human eye and all structures situated within the orbit, including the conjunctiva, lids, lashes, and lacrimal system.
- (6) "Fitting of a contact lens" means:
 - (a) the using of a keratometer to measure the human eye;
 - (b) utilizing refractive data provided by a licensed optometrist or ophthalmologist; and
 - (c) trial fitting of contact lenses, which includes a period of time for evaluation for fit and performance, to determine a tentative contact lens prescription for a patient if the patient:
 - (i) has not worn contact lenses before; or
 - (ii) has changed to a different type or base curve.

- (7) "Laser surgery" means surgery in which human tissue is cut, burned, or vaporized by means of laser or ionizing radiation.
- (8) "Ophthalmic lens" means any lens used to treat the eye and that:
 - (a) has a spherical, cylindrical, or prismatic power;
 - (b) is made pursuant to an unexpired prescription; and
 - (c) is intended to be used in eyeglasses or spectacles.
- (9) "Optometric assistant" means an unlicensed individual:
 - (a) working under the direct and immediate supervision of a licensed optometrist; and
 - (b) engaged in specific tasks assigned by the licensed optometrist in accordance with the standards and ethics of the profession.
- (10) "Optometrist" or "optometric physician" means an individual licensed under this chapter.
- (11) "Optometry" and "practice of optometry" mean any one or any combination of the following practices:
 - (a) examination of the human eye and its adnexa to detect and diagnose defects or abnormal conditions;
 - (b) determination or modification of the accommodative or refractive state of the human eye or its range or power of vision by administration and prescription of pharmaceutical agents or the use of diagnostic instruments;
 - (c) prescription, ordering, administration, or adaptation of ophthalmic lenses, contact lenses, ophthalmic devices, pharmaceutical agents, laboratory tests, or ocular exercises to diagnose and treat diseases, defects, or other abnormal conditions of the human eye and its adnexa;
 - (d) display of any advertisement, circular, sign, or device offering to:
 - (i) examine the eyes;
 - (ii) fit glasses or contact lenses; or
 - (iii) adjust frames;
 - (e) removal of a foreign body from the eye or its adnexa, that is not deeper than the anterior 1/2 of the cornea;
 - (f) consultation regarding the eye and its adnexa with other appropriate health care providers, including referral to other appropriate health care providers; and
 - (g) a person, not licensed as an optometrist, directing a licensee under this chapter to withhold or alter the eye care services the licensee has ordered.
- (12) "Pharmaceutical agent" means any diagnostic or therapeutic drug or combination of drugs that has the property of assisting in the diagnosis, prevention, treatment, or mitigation of abnormal conditions or symptoms of the eye and its adnexa.
- (13) "Physician" has the same meaning as defined in Sections 58-67-102 and 58-68-102.
- (14) "Prescription drug" has the same definition as in Section 58-17b-102.
- (15) "Unexpired" means a prescription that was issued:
 - (a) for ophthalmic lenses which does not expire unless the optometrist or physician includes an expiration date on the prescription based on medical reasons that are documented in the patient's file; and
 - (b) in accordance with Subsection (3) for a contact lens.

Amended by Chapter 256, 2012 General Session
Amended by Chapter 362, 2012 General Session