

246 CMR: BOARD OF REGISTRATION IN OPTOMETRY

246 CMR 1.00: PURPOSE AND DEFINITIONS

Section

1.01: Purpose

1.02: Definitions

1.01: Purpose

246 CMR 1.00 through 3.00 is intended to establish standards and procedures for the licensure of optometrists and certification of such optometrists to use diagnostic and therapeutic pharmaceutical agents; set standards of professional practice and conduct for optometrists; and govern disciplinary actions taken against Optometrists or License Applicants.

1.02: Definitions

For the purposes of 246 CMR, the following terms will have the following meanings.

Board. The Massachusetts Board of Registration in Optometry, established pursuant to M.G.L. c. 13, § 16.

Certificate of Qualification to Use DPAs. A certificate issued by the Board to an Optometrist who has met the requirements of 246 CMR 2.02: *Certification for Use of Diagnostic Pharmaceutical Agents (DPAs)*, certifying that that Optometrist is properly qualified to use DPAs for the purpose of conducting an examination of the eye.

Certificate of Qualification to Use TPAs. A certificate issued by the Board to an Optometrist who has met the requirements of 246 CMR 2.03: *Certification for Use of Therapeutic Pharmaceutical Agents (TPAs)*, certifying that that Optometrist is properly qualified to use TPAs in the prevention, correction, management and/or treatment of abnormal ocular conditions or diseases, except glaucoma.

Continuing Education Course. A formal learning program with specific learning objectives relevant to the science or practice of Optometry.

Continuing Education Entity. An entity authorized by the Board that may offer Continuing Education Courses for continuing education credit, without obtaining prior approval from the Board for each course offered.

Continuing Education Hour. The unit of measurement for a Continuing Education Course lasting at least 50 consecutive minutes.

Diagnostic Pharmaceutical Agent (DPA). Any topical anesthetic, mydriatic, or cyclopegic drug, except atropine and phenylephrine hydrochloride in 10% concentration, suitable for ocular examination procedures.

License. A certificate of registration issued by the Board pursuant to 246 CMR 2.00: *Examination and Licensure; Certification for Use of Diagnostic and Therapeutic Pharmaceutical Agents* which authorizes a Person to engage in the practice of Optometry.

License Applicant. An individual who has applied for licensure to practice Optometry in the Commonwealth of Massachusetts pursuant to 246 CMR 2.01: *Licensure Provisions*, but who has not yet been granted such licensure.

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Optician. Any Person who satisfies the definition of "dispensing optician" as set out at M.G.L. c. 112, § 73C and 235 CMR 2.04: *Definitions*.

Optometrist. A Person who has obtained a License from the Board and is therefore duly authorized to practice Optometry pursuant to M.G.L. c. 112, §§ 66 through 73B and 246 CMR 1.00 through 3.00.

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1.02: continued

Optometry. The practice of optometry as defined by M.G.L. c. 112, § 66.

Person. An individual and does not mean an association of individuals or a legal entity.

Qualifying Course of Study to Use DPAs. A course of study in the use of DPAs which is taken by an Optometrist after he or she has completed the educational requirements for licensure as an Optometrist set forth in M.G.L. c. 112, § 68; which meets the requirements of 246 CMR 2.02(2): *Reporting and Referral*, including the requirements that the course is administered by a School or College of Optometry or duly-accredited school of medicine that has been approved by the Board.

Qualifying Course of Didactic TPA Study. A course of classroom instruction and study in the use of TPAs for the diagnosis, prevention, correction, management and/or treatment of abnormal ocular conditions or diseases, which is taken by an Optometrist after he or she has completed the educational requirements for licensure as an Optometrist set forth in M.G.L. c. 112, § 68; which meets the requirements of 246 CMR 2.03(2): *Other Requirements for the Use of TPA*, including the requirements that the course is administered by a School or College of Optometry or duly-accredited school of medicine that has been approved by the Board.

Qualifying Examination in the Use of TPAs. An examination, approved by the Board, which is given to an applicant for certification in the use of TPAs after completion of a Qualifying Course of Didactic TPA study for the purpose of evaluating that applicant's knowledge and skill in the proper use of TPAs. Said examinations may include, but shall not be limited to, any applicable portion of any examination administered by the National Board of Examiners in Optometry.

Respondent. A person against whom a formal written complaint has been filed with the Board.

School or College of Optometry. A legally chartered school of optometry approved by the Board and accredited by the Accreditation Council of Optometric Education.

Supervised Course of Clinical TPA Practice. A course of supervised clinical practice in the use of TPAs which meets the requirements of 246 CMR 2.03(3): *Restrictions on Use of TPAs*, including the requirements that the course has been administered by a School or College of Optometry or duly-accredited school of medicine that has been approved by the Board.

Therapeutic Pharmaceutical Agent (TPA). Those topical Schedule VI and non-legend pharmaceutical agents which are required or used for the prevention, correction, management or treatment of abnormal ocular conditions or diseases, except glaucoma, as defined in M.G.L. c. 112, §§ 66 and 66B.

REGULATORY AUTHORITY

246 CMR 1.00: M.G.L. c. 112, § 67.