

HOUSE BILL 191

J2, J1

7lr0389

By: **Delegates Lam, Metzgar, Miele, and K. Young**

Introduced and read first time: January 19, 2017

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Optometrists and Physicians – Prescriptions for Lenses – Expiration Dates**

3 FOR the purpose of requiring that certain optometrists and certain physicians ensure that
4 prescriptions for certain lenses contain an expiration date of not more than a certain
5 number of months from a certain date; requiring that certain optometrists and
6 certain physicians, under certain circumstances, enter certain information into a
7 patient's medical record and provide a patient with a certain explanation; providing
8 for the application of this Act; and generally relating to expiration dates for
9 prescriptions for lenses.

10 BY adding to

11 Article – Health Occupations

12 Section 11–404.5 and 14–508

13 Annotated Code of Maryland

14 (2014 Replacement Volume and 2016 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Health Occupations**

18 **11–404.5.**

19 **(A) THIS SECTION DOES NOT APPLY TO A PRESCRIPTION FOR CONTACT**
20 **LENSES.**

21 **(B) A LICENSED OPTOMETRIST SHALL:**

22 **(1) ENSURE THAT A PRESCRIPTION FOR EYEGLASSES, SUNGLASSES,**
23 **OR ANY OTHER TYPE OF LENSES THAT THE OPTOMETRIST IS AUTHORIZED TO**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PRESCRIBE CONTAINS AN EXPIRATION DATE FOR THE PRESCRIPTION OF NOT MORE
2 THAN 24 MONTHS FROM THE DATE THE PATIENT WAS FIRST EXAMINED; AND

3 (2) IF THE PRESCRIPTION CONTAINS AN EXPIRATION DATE OF LESS
4 THAN 24 MONTHS FROM THE DATE THE PATIENT WAS FIRST EXAMINED:

5 (I) ENTER INTO THE PATIENT'S MEDICAL RECORD THE VALID
6 CLINICAL REASONS FOR THE SHORTER EXPIRATION DATE; AND

7 (II) PROVIDE THE PATIENT WITH A WRITTEN AND AN ORAL
8 EXPLANATION OF THE CLINICAL REASONS FOR THE SHORTER EXPIRATION DATE.

9 14-508.

10 (A) THIS SECTION DOES NOT APPLY TO A PRESCRIPTION FOR CONTACT
11 LENSES.

12 (B) A LICENSED PHYSICIAN SHALL:

13 (1) ENSURE THAT A PRESCRIPTION FOR EYEGLASSES, SUNGLASSES,
14 OR ANY OTHER TYPE OF LENSES THAT THE PHYSICIAN IS AUTHORIZED TO
15 PRESCRIBE CONTAINS AN EXPIRATION DATE FOR THE PRESCRIPTION OF NOT MORE
16 THAN 24 MONTHS FROM THE DATE THE PATIENT WAS FIRST EXAMINED; AND

17 (2) IF THE PRESCRIPTION CONTAINS AN EXPIRATION DATE OF LESS
18 THAN 24 MONTHS FROM THE DATE THE PATIENT WAS FIRST EXAMINED:

19 (I) ENTER INTO THE PATIENT'S MEDICAL RECORD THE VALID
20 CLINICAL REASONS FOR THE SHORTER EXPIRATION DATE; AND

21 (II) PROVIDE THE PATIENT WITH A WRITTEN AND AN ORAL
22 EXPLANATION OF THE CLINICAL REASONS FOR THE SHORTER EXPIRATION DATE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2017.