

Chapter 48. Board of Examiners in Optometry.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 48 is amended by adding a new section to Article 3 to read:

12 AAC 48.315. Standards for delegation of routine duties. (a) An optometrist licensed under AS 08.72 may delegate the performance of a routine service of optometry to an agent of the optometrist if

- (1) the delegated service is within the scope of practice of the delegating optometrist;
- (2) the optometrist's delegated agent has received necessary training to safely and competently perform the delegated duty; and
- (3) the delegating optometrist
 - (A) supervises the agent; and
 - (B) remains responsible for the quality of the service provided to the patient.

(b) For the purposes of this section, "routine service of optometry" means a service that may be delegated to another person and that

- (1) occurs frequently in the care of patients;
- (2) has a standard procedure and predictable results; and
- (3) presents minimal potential risk to the patient.

(c) An optometrist may not delegate a service that requires the delegee to exercise professional medical judgment or skills, or have knowledge of complex medical skills, including

- (1) a service related to pain management, opioid use, or addiction;

(2) the assessment of a patient's medical condition, related referrals, or necessary follow-up;

(3) the formulation of an appropriate medical care plan for the patient or evaluation of the patient's response to the care provided;

(4) counseling the patient, the patient's family, or the patient's representative regarding the patient's health;

(5) transmitting a verbal prescription order without written documentation from the patient's health care provider;

(6) medication management for a medical condition requiring ongoing assessment and adjustment of dosage or timing of administration; and

(7) the administration of an injectable medication.

(d) This section only applies to the delegation of routine services of optometry by an optometrist licensed under AS 08.72. This section does not apply to a service that has not been delegated, including when a person is acting

(1) within the scope of the person's own license;

(2) under other legal authority; or

(3) under the supervision of another health care provider licensed under AS 08 who has authority to delegate routine duties. (Eff. ____/____/____, Register ____)

Authority: AS 08.72.050 AS 08.72.110 AS 08.72.280
AS 08.72.060 AS 08.72.240

12 AAC 48.330 is amended by adding new subsections to read:

(f) An optometrist licensed under AS 08.72 shall not knowingly delegate a function, task,

or responsibility to another person if doing so would be reasonably likely to pose a substantial risk of harm to a patient.

(g) An optometrist may not delegate a routine service of optometry to an agent except as provided under AS 08.72 and 12 AAC 48.315. (In effect before 7/28/59; am 9/10/65, Register 21; am 4/24/71, Register 37; am 2/14/78, Register 65; am 7/6/78, Register 67; am 6/14/80, Register 74; am 8/8/84, Register 91; am 3/12/86, Register 97; am 8/7/2021, Register 239; am ____/____/____, Register ____)

Authority: AS 08.72.050 AS 08.72.060 AS 08.72.240