

**CONSENT CALENDAR**

**April 13, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Executive Departments and Administration to which was referred SB 284,**

**AN ACT relative to the treatment of glaucoma. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.**

**Rep. Jaci Grote**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	SB 284
Title:	relative to the treatment of glaucoma.
Date:	April 13, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

### STATEMENT OF INTENT

This bill establishes a uniform statute allowing NH licensed optometrists who are certified by the American Board of Optometry (ABO) to treat glaucoma. Previous statute passed in 2002 prevents these optometrists who are certified by the ABO, NH licensed and recently relocated to NH, to treat glaucoma without 12 months of credential privilege involving review by an ophthalmologist. This review is impractical in rural areas and limits access to glaucoma treatment. This bill aligns current best practice into law.

Vote 17-0.

Rep. Jaci Grote  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Executive Departments and Administration

**SB 284**, relative to the treatment of glaucoma. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill establishes a uniform statute allowing NH licensed optometrists who are certified by the American Board of Optometry (ABO) to treat glaucoma. Previous statute passed in 2002 prevents these optometrists who are certified by the ABO, NH licensed and recently relocated to NH, to treat glaucoma without 12 months of credential privilege involving review by an ophthalmologist. This review is impractical in rural areas and limits access to glaucoma treatment. This bill aligns current best practice into law. **Vote 17-0.**

Original: House Clerk  
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**HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**EXECUTIVE SESSION on SB 284**

**BILL TITLE:** relative to the treatment of glaucoma.

**DATE:** April 11, 2022

**LOB ROOM:** 302-304

**MOTIONS:** OUGHT TO PASS

Moved by Rep. Grote

Seconded by Rep. Marsh

Vote: 17-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk



2022 SESSION

Executive Departments and Administration

Bill #: SB 284 Motion: OTP AM #: \_\_\_\_\_ Exec Session Date: 4-11-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.			
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeady, Jean L.	X		
Schmidt, Peter B.	X		
Marsh, William M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.			
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
<b>TOTAL VOTE:</b>			

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 284

**BILL TITLE:** relative to the treatment of glaucoma.

**DATE:** April 11, 2022

**LOB ROOM:** 302-304                      **Time Public Hearing Called to Order:** 11:15 a.m.

**Time Adjourned:** 12:00 p.m.

**Committee Members:** Reps. McGuire, Rhodes, Sytek, S. Pearson, Yakubovich, T. Lekas, Alliegro, Bailey, Santonastaso, Goley, Schuett, Jeudy, P. Schmidt, Marsh, Fellows, Fontneau, Grote and O'Brien

**Bill Sponsors:**

Sen. Ward	Sen. Soucy	Sen. Watters
Sen. Ricciardi	Sen. Hennessey	Sen. Avard
Sen. Giuda	Sen. Birdsell	Sen. Whitley
Sen. Carson	Sen. Cavanaugh	Sen. Prentiss
Rep. Lundgren	Rep. Yakubovich	

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Sen. Ward introduced the bill and spoke in favor. This was a request of the NH Optometric Ass'n. She recounted the history of glaucoma treatment since initial authorization in 2002. She said that the scope of practice and diseases (primary open-angle glaucoma) treated were specified in statute unlike other doctorate level professions. She said the NH is only one of three states that do not allow for optometrists to treat all glaucomas. This would allow optometrists, when certified by the state board, to treat all glaucomas. This would eliminate referrals and attract optometrists to this state rather to another state where they could treat all glaucomas.

Allison Loranger, DO, spoke in favor. She recounted her professional history where she had practice in two other states where she could treat all glaucomas. She was now in NH and found that her practice was restricted. She further described other restrictions and said present law was outdated. She felt that this bill would encourage other optometrists to come to NH.

Winnie Tseng, DO, spoke in support. The practice that she owns is in Littleton. She cited this inability to practice was burdensome in the north country. She also described the tedious nature of getting her own glaucoma certification because she graduated a year earlier than present law specified. Part of this was inconveniencing patients who would have to travel to also see an ophthalmologist since she needed to collaborate. She took Committee questions.

Dorothy Hitchmoth, representing the NH Optometric Ass'n, Member of the Board of Trustees of the NW College of Optometry, spoke in support. She said she was involved in the passage of the original legislation in 2002. She discussed the nature of the negotiations at that time. She said it was time to remove these restrictions. She spoke of the "suffering" in the north country due to these restrictions. She took Committee questions.

Christine Caban Donahue, member of the Joint Credentialing Committee, first provided details about the waiver process, stating that the waiver could apply only to the initial certification but could not waive a 24-month co-management period. She spoke in support and recounted the legislative history. She said she had the tools and training for treat all the glaucomas. She said that present restrictions are outdated and unnecessary. She took Committee questions.





# House Remote Testify

## Executive Departments and Administration Committee Testify List for Bill SB284 on 2022-04-11

Support: 12 Oppose: 0 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Ricciardi, Senator Denise	Bedford, NH denise.ricciardi@leg.state.nh.us	An Elected Official	Senate District 9	Support	No	No	3/30/2022 12:00 PM
Ward, Senator	Stoddard, NH ruth.ward@leg.state.nh.us	An Elected Official	Senate District 8	Support	No	No	3/30/2022 12:47 PM
Birdsell, Senator Regina	Hampstead, NH regina.birdsell@leg.state.nh.us	An Elected Official	Senate District 19	Support	No	No	3/30/2022 1:13 PM
Cavanaugh, Senator Kevin	Manchester, NH kevin.cavanaugh@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/30/2022 1:58 PM
Carson, Senator Sharon	SD 14, NH sharon.carson@leg.state.nh.us	An Elected Official	Myself	Support	No	No	4/4/2022 9:57 AM
Hennessey, Erin	Senate District 1, NH peter.oneill@leg.state.nh.us	An Elected Official	Myself	Support	No	No	4/5/2022 10:31 AM
Bryant, Kristen	Nashua, NH kristenobryant@gmail.com	A Member of the Public	Myself	Support	No	No	4/9/2022 7:18 AM
Reed, Donna	New London, NH donna@drdonnareed.com	A Member of the Public	Myself	Support	No	No	4/10/2022 7:24 PM
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Support	No	No	4/11/2022 5:19 AM
Kwiatkowski, Erica	Lisbon, NH ericalgriffin@gmail.com	A Member of the Public	Myself	Support	No	No	4/11/2022 9:49 AM
Giuda, Bob	Warren, NH daley.frenette@leg.state.nh.us	An Elected Official	Senate District 2	Support	No	No	4/11/2022 9:58 AM
Trahan, Rinita	Exeter, NH rinitazanzerkia@gmail.com	A Member of the Public	Myself	Support	No	No	4/11/2022 3:33 PM



SB 284 - AS INTRODUCED

2022 SESSION

22-2906

11/05

SENATE BILL        **284**

AN ACT            relative to the treatment of glaucoma.

SPONSORS:        Sen. Ward, Dist 8; Sen. Soucy, Dist 18; Sen. Watters, Dist 4; Sen. Ricciardi, Dist 9; Sen. Hennessey, Dist 1; Sen. Avard, Dist 12; Sen. Giuda, Dist 2; Sen. Birdsell, Dist 19; Sen. Whitley, Dist 15; Sen. Carson, Dist 14; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Rep. Lundgren, Rock. 5; Rep. Yakubovich, Merr. 24

COMMITTEE:      Health and Human Services

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ANALYSIS

This bill modifies the requirements for optometrists who treat glaucoma.

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Explanation:     Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT relative to the treatment of glaucoma.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Treatment of Glaucoma. Amend RSA 327:6-c to read as follows:

2 327:6-c Treatment of Glaucoma.

3 I.(a) Optometrists seeking authorization to treat glaucoma shall complete at least 40 hours  
4 of classroom education, approved by the board, incorporating: epidemiology of the glaucomas;  
5 genetics of the glaucomas; anatomy, physiology, and mechanics of aqueous inflow and aqueous  
6 outflow; optic nerve anatomy and pathophysiology; neurotoxicity and neuroprotectants; receptor  
7 biology; pharmacology, clinical use and toxic effects of alpha and beta adrenergic agents, carbonic  
8 anhydrase inhibitors, prostanoids and cholinergic agents.

9 (b) Optometrists shall pass an examination approved by the board that covers the  
10 educational components listed in subparagraph (a). Upon passage of such exam, an optometrist  
11 shall have prescriptive authority during the clinical management period pursuant to RSA 327:6-a.

12 (c) The board shall waive the requirements of this paragraph and of paragraph II for  
13 optometrists who have either graduated after 2002 or who have proof of 12 months of credentialed  
14 privileges to treat glaucoma by the United States Department of Defense or Department of Veteran  
15 Affairs or the national Indian Health Service, *or who are certified by the American Board of*  
16 *Optometry*, verified by the board.

17 II.(a) To be authorized to initiate treatment of glaucoma for patients 18 years of age or older,  
18 a therapeutic pharmaceutical agent certified optometrist shall complete the educational  
19 requirements in paragraph I and provide evidence of written referrals and consultations with an  
20 ophthalmologist. For purposes of this section, [~~glaucoma" means primary open angle glaucoma;~~  
21 ~~and~~] "ophthalmologist"; means a physician licensed under RSA 329 with a specialty in  
22 ophthalmology. The joint credentialing committee shall review evidence of glaucoma co-  
23 management submitted pursuant to subparagraph (b).

24 (b) Except as provided in subparagraph I(c) or paragraph III, therapeutic  
25 pharmaceutical agent certified optometrists are required to provide evidence of successful  
26 collaborative treatment and co-management of 25 glaucoma patients, up to 5 of which may be  
27 established patients, during a period of not less than 18 months for each patient, to ophthalmologists  
28 according to the following criteria:

29 (1) A new or existing glaucoma patient is examined and diagnosed by the  
30 optometrist;

1 (2) The optometrist develops a proposed treatment plan and forwards the plan with  
2 examination documentation to an ophthalmologist for consultation;

3 (3) The ophthalmologist [~~examines the patient and~~] reviews the optometrist's  
4 examination documentation and proposed treatment plan;

5 (4) The ophthalmologist, optometrist, and patient mutually agree to and document a  
6 treatment plan;

7 (5) The optometrist shall consult with the co-managing ophthalmologist when any of  
8 the following occurs: the patient's target pressure is not reached within 90 days; the patient is  
9 experiencing documented progression of optic nerve damage; the patient develops documented and  
10 repeated progression of visual field loss; or the patient develops angle-closure [~~or other secondary~~  
11 ~~glaucoma~~]; and

12 (6) For each successfully co-managed glaucoma patient the optometrist and co-  
13 managing ophthalmologist shall complete a glaucoma credentialing reporting form and submit the  
14 form to the joint credentialing committee upon completion of the 18 months of treatment.

15 III. The joint credentialing committee may waive or reduce the requirements of RSA 327:6-c,  
16 I and II for the following categories of optometrists:

17 (a) Optometrists with a license and proof of practice for 12 months treating glaucoma  
18 patients in another state that currently authorizes the treatment of glaucoma by optometrists; or

19 (b) Optometrists who have proof of successful completion of a 12-month accredited  
20 optometric residency program or its equivalent.

21 IV. Upon certification to treat glaucoma patients[:

22 ~~(a) For a period of 24 months, optometrists shall consult with an ophthalmologist within~~  
23 ~~30 days for each new glaucoma patient for confirmation of diagnosis and review of treatment plan.~~

24 ~~(b)]~~ An optometrist shall consult with an ophthalmologist within 30 days when any of  
25 the following occurs:

26 ~~[(1)]~~ (a) The patient is experiencing documented progression of optic nerve damage  
27 or the patient develops documented and repeated progression of visual field loss on maximum  
28 tolerated topical medical therapy; or

29 ~~[(2)]~~ (b) The patient develops angle-closure [~~or other secondary glaucoma~~].

30 2 Effective Date. This act shall take effect 60 days after its passage.