

House Bill 1267

Industry, Business and Labor Committee

February 3, 2025

Good afternoon, Mr. Chairman and members of the committee. My name is Dr. Taya Patzman, and I am the Executive Director of the State Board of Optometry. I am speaking to you today on behalf of the Board.

I appear before you today, in support of House Bill 1267. The intent of this bill is to update the language in our practice act, which is antiquated and hasn't been done for over 20 years. The profession of optometry has changed dramatically in this time, and changes need to be made. Updating the language in our practice act will help with licensing, disciplinary actions, and ensure patient safety.

This bill updates definitions for optometry and most importantly defines new ones. "Optometric Services" defines the practice of optometry, replacing the former "optometry" definition. The definition of "Practice of Optometry" further defines the scope of optometry in more detail. "Distant Site Provider" is a new term defining an optometrist's practice modality for optometric telemedicine.

You will see throughout this bill, the term "secretary" has been replaced with "Executive Director." In the past, our board elected a President, Vice President, and Secretary/Treasurer. It was brought to our attention several years ago, that our law only defines the elected positions of President and Secretary. The duties of the secretary in the century code are those of the Executive Director, which is a paid position. Replacing "Secretary" with "Executive Director" updates the century code to align with the current positions.

Under section 43-13-13 Duties of board, section 4 was added to establish fees. Currently, we have only one fee and that is \$200 for new applications and renewals. Adding a fee schedule is in line with most other states. The details of the fee schedule will be brought before the legislature for approval.

One of the main intents of this bill is to introduce and define optometric telemedicine and provide guidelines for the protection of the public. It states that, "The initial patient relationship must be established through an eye examination conducted by a licensed optometrist with a physical location in this state." This is important and is not eliminating any current optometry practice in our state. This statement clarifies that to do an examination by telemedicine, the over-seeing doctor has to have a physical office location in the state of North Dakota. We have several distant site providers conducting eye exams in Fargo and Grand Forks, but they have the patients report to a local office for the exam. This local office ensures that the patients have a place to go if there are any complications to treatment, have a visual concern, and gives the State Board a physical location to investigate if a complaint is brought forward.

The State Board of Optometry's primary intent is to protect the public. House Bill 1267 provides protection to our citizens with new optometric telemedicine language, and updates the antiquated, redundant language in our current statute. I urge you to vote Do Pass on HB 1267.

Thank you, Mr. Chairman. I would be happy to answer any questions you may have.