

ASSEMBLY BILL NO. 491—ASSEMBLYMEN HUMKE, BEERS, BROWER,
BUCKLEY, HETTRICK, LESLIE AND PARKS

MARCH 19, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes optometrist to collaborate with ophthalmologist under certain conditions. (BDR 54-1280)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to professions; authorizing an optometrist to collaborate with an ophthalmologist under certain conditions; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 636 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 *An optometrist may, based upon the individual needs of a particular*
4 *patient, collaborate with an ophthalmologist for the provision of care to*
5 *the patient, for a fixed fee, regarding one or more surgical procedures if:*
6 1. *The collaborating parties prepare and maintain in their respective*
7 *medical records regarding the patient, written documentation of each*
8 *procedure and other service performed by each collaborating party which*
9 *includes the date each procedure and other service is performed;*
10 2. *The fixed fee is divided between the collaborating parties in*
11 *proportion to the services personally performed by each of them; and*
12 3. *The collaborating parties provide to the patient and maintain in*
13 *their respective medical records regarding the patient, a written*
14 *document, signed by each of the collaborating parties and the patient,*
15 *containing:*
16 (a) *The name, business address and telephone number of each of the*
17 *collaborating parties;*
18 (b) *The amount of the fixed fee for the procedures and services;*
19 (c) *The proportion of that fee to be received by each collaborating*
20 *party;*



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- 1 (d) *A statement, signed by the patient and a witness who is not one of*
2 *the collaborating parties, that the patient voluntarily, knowingly and*
3 *willingly desires the performance of the postoperative care by the*
4 *collaborating optometrist;*
5 (e) *A statement that the patient is entitled to return to the*
6 *collaborating ophthalmologist for postoperative care at any time after the*
7 *surgery; and*
8 (f) *A statement which:*
9 (1) *Indicates that the practice of optometry and ophthalmology are*
10 *respectively regulated by the Nevada state board of optometry and the*
11 *board of medical examiners; and*
12 (2) *Contains the address and telephone number of each of those*
13 *boards.*
14 **Sec. 2.** NRS 636.301 is hereby amended to read as follows:
15 636.301 The following acts, among others, constitute unethical or
16 unprofessional conduct:
17 1. Division of fees with another optometrist or a health maintenance
18 organization, except where the division is made in proportion to the
19 services performed for the patient and the responsibility assumed by each.
20 2. Division of fees or any understanding or arrangement with any
21 person *who is* not an optometrist or a health maintenance organization **H**,
22 *unless in accordance with section 1 of this act.*

