

SENATE BILL NO. 106—SENATORS SEEVERS GANSERT;  
AND D. HARRIS

PREFILED FEBRUARY 3, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to ophthalmic dispensing. (BDR 54-543)

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

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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 ophthalmic dispensing; exempting the sale of prescription eyewear to intended wearers outside this State from provisions regulating ophthalmic dispensing; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires a person to hold a license as a dispensing optician issued by the Board of Dispensing Opticians in order to engage in the practice of ophthalmic dispensing in this State. (NRS 637.090) Existing law defines "ophthalmic dispensing" as the design, verification and delivery to the intended wearer of lenses, frames and other specially fabricated optical devices upon prescription. (NRS 637.022)

Existing law exempts certain activity from provisions of law governing ophthalmic dispensing. (NRS 637.025) **Section 6** of this bill additionally exempts from such provisions the sale of prescription eyewear to an intended wearer located outside this State or any design, manufacturing or other activity in conjunction with such a sale.

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

**Section 1.** (Deleted by amendment.)

**Sec. 2.** (Deleted by amendment.)

**Sec. 3.** (Deleted by amendment.)

**Sec. 4.** (Deleted by amendment.)

**Sec. 5.** (Deleted by amendment.)



**Sec. 6.** NRS 637.025 is hereby amended to read as follows:

637.025 The provisions of this chapter do not apply to:

1. Ophthalmic dispensing personally by a licensed physician, surgeon or optometrist unless exclusively engaged in the business of filling prescriptions.

2. Ophthalmic dispensing by an employee of a licensed physician, surgeon or optometrist if the employee practices ophthalmic dispensing only under the direct supervision of the licensed physician, surgeon or optometrist and only as an assistant to the licensed physician, surgeon or optometrist.

3. A licensed pharmacist dispensing prepackaged contact lenses pursuant to the provisions of NRS 639.2825.

4. The sale of goggles, sunglasses, colored glasses or occupational protective eye devices not having a refractive value, or the sale as merchandise of complete ready-to-wear eyeglasses.

*5. The sale of prescription eyewear to an intended wearer located outside this State or any design, manufacturing or other activity in conjunction with such a sale.*

**Sec. 7.** (Deleted by amendment.)

**Sec. 8.** (Deleted by amendment.)

