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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-FIFTH  
SESSION**

**HOUSE FILE No. 3924**

March 10, 2008

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act  
1.2 relating to occupations and professions; allowing optometrists to dispense a  
1.3 legend drug at retail under certain conditions; amending Minnesota Statutes  
1.4 2006, sections 145.711, by adding a subdivision; 148.574.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 145.711, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 1a. **Contact lens.** "Contact lens" means any device placed on the anterior  
1.9 surface of the eye for refractive, cosmetic, diagnostic, or therapeutic purposes.

1.10 Sec. 2. Minnesota Statutes 2006, section 148.574, is amended to read:

1.11 **148.574 PROHIBITIONS RELATING TO LEGEND DRUGS;**  
1.12 **AUTHORIZING SALES BY PHARMACISTS UNDER CERTAIN CONDITIONS.**

1.13 An optometrist shall not purchase, possess, administer, prescribe or give any legend  
1.14 drug as defined in section 151.01 or 152.02 to any person except as is expressly authorized  
1.15 by sections 148.571 to 148.577. Nothing in chapter 151 shall prevent a pharmacist from  
1.16 selling topical ocular drugs to an optometrist authorized to use such drugs according to  
1.17 sections 148.571 to 148.577. Notwithstanding sections 151.37 and 152.12, an optometrist  
1.18 is prohibited from dispensing legend drugs at retail, unless the legend drug is within the  
1.19 scope designated in section 148.576, subdivision 1, and is administered to the eye through  
1.20 a contact lens that is intended to correct vision.