

**BOARD OF OPTOMETRY
TPA FORMULARY ADVISORY COMMITTEE MEETING
JUNE 17, 2004
RICHMOND, VA**

TIME AND PLACE: The meeting was called to order at 8:40 a.m. on Thursday, June 17, 2004 at the Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 3, Richmond, Virginia.

PRESIDING CHAIR: William T. Tillar, O.D.

MEMBERS PRESENT: Kevin Green, O.D.
Craig Hensle, M.D.
Susan Keene, O.D.
Ralph Small, R.Ph.
Samuel C. Smart, O.D.
E. Winston Trice, M.D.

STAFF PRESENT: Emily Wingfield, Assistant Attorney General, Board Counsel
Elaine Yeatts, Senior Regulatory Analyst
Elizabeth A. Carter, Ph.D.
Carol Stamey, Administrative Assistant

OTHERS PRESENT: Bruce Keeney, VOA
Cal Whitehead, VA Society of Ophthalmology
M.E. Jackson, VOA

QUORUM: With all members of the Committee present, a quorum was established.

PUBLIC COMMENT: Cal Whitehead submitted written comment from Richard W. Morton, M.D. for review. The written comment is incorporated into the minutes as Attachment 1.

OVERVIEW OF REQUIREMENTS FOR THE REGULATIONS, INCLUDING TIMELINE: Dr. Tillar presented opening remarks as follows: the Committee's authority to meet and expand the prescriptive authority of TPA certified optometrists was located in HB 856, lines 161 through 163. Specifically, the bill expanded Schedule III through VI controlled substances and devices to treat disease of the human eye and its adnexia within the scope of the practice of optometry and as determined by the Board. Further, the Board of Optometry is required to promulgate regulations within 280 days of the Bill's enactment. Dr. Tillar referenced the current TPA regulations promulgated in October 1996 that limit the prescriptive authority of TPA certified optometrists to certain Schedule III oral analgesics and Schedule IV topicals. Additionally, to avoid the Board's need to continually meet to update the formulary, the TPA Formulary Committee referenced the ophthalmic chapter of *Drugs Facts and Comparisons*, updated monthly as the formulary list. This reference updates on continuously and serves as a

reference widely recognized by the health community. Dr. Tillar reported that the Board's utilization of the reference format for its TPA formulary has served the Board well with little confusion and no evidence of harm to the public. Dr. Tillar noted that as of October 1996, 380 disciplinary cases had been closed with only 8 cases involving allegations related to therapeutic drugs. Dr. Tillar requested that the Committee limit its discussion to Part IV of the regulations including 18 VAC 101-20-46 and 47 and 18 VAC 105-30-60 and 70. HB 856 (Acts of the Assembly 744) is incorporated into the minutes as Attachment 2.

COMMITTEE DISCUSSION OF PROPOSED LANGUAGE:

Ms. Yeatts informed the Committee that HB 856 contained an enactment clause that requires the Board to promulgate emergency regulations to be in effect within 280 days of enactment which was April 12, 2003. She also noted that the TPA formulary and practice standards revisions were exempt from the APA; however, the Board is required to conduct a public hearing prior to making amendments.

Section 18 VAC 105-30-70.A. Therapeutic Pharmaceutical Agents

Dr. Smart moved that section 18 VAC 105-30-70.A remain as it is with the addition of "a TPA certified optometrist" and clarification of language (seconded by Keene). Prior to voting, Dr. Trice requested that the language be written out for review by the Committee. Dr. Smart accepted Dr. Trice's request as a friendly amendment.

Dr. Smart moved to accept the amended language to §18 VAC 105-30-70.A as amended and submitted by Ms. Yeatts as follows: *A TPA-certified optometrist, acting within the scope of his practice, may procure, administer and prescribe those Schedule VI topically-applied ophthalmic agents (or any therapeutically appropriate combination thereof) as listed in the current edition of Drug Facts and Comparisons within the following categories:*

1. *Anti-allergy*
2. *Anti-glaucoma*
3. *Anti-infective*
4. *Anti-inflammatory*
5. *Cycloplegic and mydriatic; and*
6. *Decongestant.*

Dr. Trice moved to amend the motion by deleting the reference to Drug Facts and Comparisons and incorporate a specific listing. The motion failed with a vote of three yes and four no.

The Committee voted on the motion as previously amended and read by Ms. Yeatts. The members voted four yes and two no to accept the amended language to §18 VAC 105-30-70.A.

Section 18 VAC 105-30-70.B - Oral Analgesics, Schedules III through VI Appropriate to Relieve Ocular Pain

Dr. Smart moved to amend 18 VAC 105-30-70.B as follows:
A TPA certified optometrist may procure for administration, administer, or prescribe the following oral pharmaceutical agents: narcotic and non-narcotic analgesics limited to Schedule III through VI.

i. Schedule III analgesics shall be those oral analgesic preparations containing codeine or hydrocodone in combination with non-narcotic analgesics.

The vote was unanimously in favor.

Schedule IV Oral Analgesic Preparations

Dr. Green moved that Schedule IV oral analgesic preparations containing propoxyphene and its derivatives shall be butorphanol and pentazocine. The Committee voted five yes and one no.

Schedule V

The Committee declined to develop language for Schedule V drugs.

Schedule VI Analgesics

Dr. Smart moved to add the following drugs to Schedule VI: meloxicam, celecoxib, rofecoxib and valdecoxib with the deletion of fenoprofen. The vote was unanimously in favor.

Schedule VI Orals in the Treatment of Eye Disease within the Scope of Practice of an Optometrist

Dr. Keene moved to include broad anti-histamines. The vote was three yes and two no.

Dr. Smart moved to reconsider the previous motion and to consider anti-allergy drugs. This passed with a vote of three yes and two no.

Because the language had been approved for the TPA certified optometrists for topical Schedule VI drugs previously and regulations developed accordingly, Dr. Keene made a motion that the formulary Schedule VI orals retain the existing language in Section A for Schedule VI topicals excluding the cycloplegic subsection number 5. The vote was four in favor and two opposed.

Dr. Smart moved to accept section B with changes as follows:

B. A TPA-certified optometrist may procure, administer and prescribe the following oral analgesics:

1. Schedule III oral analgesic preparations containing codeine or hydrocodone in combination with non-narcotic analgesics.

2. *Schedule IV oral analgesic preparations containing propoxyphene and its derivatives, butorphanol, and pentazocine.*

3. *Schedule VI analgesics as follows:*

- a. *Non-steroidal anti-inflammatory drugs:
ibuprofen
ketoralac
nabumetone
naproxen sodium
etodolac
ketoprofen
diclofenac sodium or diclofenac potassium*
- b. *Centrally acting analgesics:
tramadol hydrochloride*
- c. *Cox-II inhibitors:
meloxicam
celecoxib
rofecoxib
valdcoxib*

The vote was unanimously in favor.

Dr. Keene moved that the previous motion be reconsidered because what constitutes appropriate therapeutic care may not be covered under the above specific list of categories. Further, she moved that Section C mirror Section A.

Dr. Trice requested that the proposed language in Section C be read before the Committee voted.

Ms. Wingfield read the language as follows: *A TPA-certified optometrist, acting within the scope of his practice, may procure, administer and prescribe those Schedule VI oral drugs that are medically appropriate to treat diseases or abnormal conditions of the human eye and its adnexa as listed in the current edition of Drug Facts and Comparisons.*

The vote on the motion was four in favor and two against.

Those opposed to this motion requested that Section C broken down by category be presented to the full Board for review and is as follows:

C. A TPA-certified optometrist may procure for administration, administer, or prescribe the following Schedule VI oral pharmaceutical agents appropriate to treat diseases and abnormal conditions of the human eye and its adnexa:

Anti-infectives

Antibiotics as listed or any combination thereof-

penicillins
cephalosporins
quinolones
fluoroquinolones
tetracyclines
macrolides

Sulfonamides
Folate antagonists
Antiviral Agents –
valacyclovir
acyclovir
famciclovir

Anti-Allergy

loratadine
fexofenidine
cetirizine
montelukast sodium

Anti-glaucoma

methazolamide
acetazolamide

Anti-inflammatory

dexamethasone
methylprednisolone
prednisolone
prednisone

Anti-fibrinolytic

Σ-aminocaproic acid

Dr. Trice moved to add an additional section (D) of items listing exclusions to include: hypoglycemic agents, steroids medicines other than those specifically described as ophthalmic-relate, anti-seizure medications, impotence agents, laxatives, cardiovascular agents and all Chapter 5 in Drug Facts and Comparison with the exception of carbonic anhydrase inhibitors.

This motion was seconded but failed with a vote of three no and two yes.

NEW BUSINESS:

No new business was presented.

ADJOURNMENT:

Dr. Smart moved, with a unanimous vote, to adjourn the meeting adjourn at 1:40 p.m.

William T. Tillar, O.D., Chairman

Elizabeth A. Carter, Ph.D., Executive Director