Adopted Amendment: N.J.A.C. 13:38-2.4

Requirements for Issuing Prescriptions and Dispensing Medications

Proposed: August 6, 2012 at 44 N.J.R. 2034(a).

Adopted: December 19, 2012 by the State Board of Optometrists, Mitchell Fink, O.D., President.

Filed: January 28, 2013 as R.2013 d.043, without change.

Authority: N.J.S.A. 45:12-1 et seq.

Effective Date: March 4, 2013.

Expiration Date: March 15, 2019.

Summary of Public Comment and Agency Response:

The official comment period ended October 5, 2012. The Board received no comments.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendment is governed by N.J.S.A. 45:12-1 et seq., and is not subject to any Federal requirements or standards. The Fairness to Contact Lens Consumers Act § 4(f), 15 U.S.C. § 7603(f) and the Contact Lens Rule, 16 CFR 315 are not applicable to this adopted amendment because these Federal standards apply to cosmetic contact lenses, not medicated contact lenses.

Full text of the adoption follows:

13:38-2.4 Requirements for issuing prescriptions and dispensing of medications

(a)-(c) (No change.)
(d) In addition to the provisions of (a) and (b) above, optometrists certified to prescribe pharmaceutical agents pursuant to the provisions of N.J.A.C. 13:38-4 and N.J.S.A. 45:12-9.8 through 9.13 shall comply with the following:

1. (No change.)

2. The optometrist shall not dispense a prescription as provided for in N.J.S.A. 45:12-1 et seq., in an amount exceeding a 72-hour supply unless the prescription is dispensed at no charge to the patient.

i. Notwithstanding (d)2 above, an optometrist may dispense a pharmaceutical agent, as provided for in N.J.S.A. 45:12-1 et seq., that is delivered to the eye through a contact lens and may dispense such pharmaceutical agent at a charge to the patient.

3. (No change.)

(e)-(k) (No change.)