

**TITLE 14
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF OPTOMETRY**

**SERIES 11
INJECTABLE PHARMACEUTICAL AGENTS CERTIFICATE**

§14-1-1. General.

1.1. Scope. -- This rule establishes the requirements, procedures and standards for the certification of a licensee with the authority to administer injectable pharmaceutical agents. The provisions of this rule excludes the administration of epinephrine to treat emergency cases of anaphylaxis or anaphylactic shock which is permitted through W. Va. Code §30-8-15(a).

1.2. Authority. -- W. Va. Code §30-8-1 et. seq.

1.3. Filing Date. -- .

1.4. Effective Date. -- .

§14-11-2. Requirements.

2.1. The licensee shall have obtained therapeutic and oral prescriptive licensure prior to application for certification to administer pharmaceutical injections.

2.2. The licensee shall comply with all application requirements listed in this rule.

2.3. The licensee shall meet all educational and reporting requirements listed in this rule.

2.4 The licensee shall maintain current certification in basic life support from the American Red Cross or the American Heart Association or their successor organizations.

2.5 Any applicant for licensure by examination, by endorsement, or by reinstatement after March 1, 2011 shall only be granted licensure if the applicant has meet the requirements for injection certification.

2.6. The licensee shall meet all continuing education requirements listed in this rule.

§14-11-3. Education and Training.

3.1. All licensees who wish to administer agents by injection must satisfactorily complete a certification process which follows the educational criteria listed in this section.

3.2 The Board shall accept any course for certification that is provided by or through a school or college of optometry accredited by the Accreditation Council on Optometric Education or its successor organization certifying that the optometrist is competent in providing the administration of pharmaceuticals by injection.

3.3 The Board, at its discretion, may approve courses provided through organizations other than accredited schools or colleges of optometry certifying that the optometrist is competent in providing the administration of pharmaceuticals by injection if, and only if, the course meets the following minimum criteria:

3.3.1. Each course shall include indications, contra-indications, medications, techniques, risks, benefits and sharps management;

3.3.2. Each course shall contain appropriate follow up and management of any adverse reactions caused by an injection;

3.3.3. Each course shall teach the procedures of injection on human subjects in a closely supervised environment with a proficiency assessment examination.

3.4. A list of approved courses for injection administration instruction will be maintained by the Board for public inspection.

3.5. Any license granted to an applicant who graduated from an accredited school or college of optometry and who passed Part III of the National Board Examination in 2011 or thereafter shall be deemed to have met the criteria listed in this section

§14-11-4. Application.

4.1. The licensee shall complete the required application.

4.2. The licensee shall submit proof of attendance and satisfactory completion of the required course in injection administration. The Board shall verify successful completion of the cited course directly with the provider.

4.3. The licensee shall submit current certification from the American Red Cross or the American Heart Association or their successor organizations in basic life support. Maintenance of this certification as current shall be a requirement for all certificate holders. Such certification must be kept current throughout the current and subsequent licensing renewal periods and proof of such shall be submitted as a part of the license renewal process.

4.4. The licensee shall submit the injectable pharmaceutical agents certificate fee as listed in the Board's rule, 14CSR.5.

§14-11-5. Certification.

5.1. A certificate to administer pharmaceuticals by injection may be issued by the Board upon the licensee's completion of all of the requirements of the provisions of §§14-11-2 through 14-11-4.

5.2. Upon issuance of the certificate, the licensee's license number shall be changed. The license number will be followed by a dash and the initials "I" for injectable pharmaceuticals, "O" for oral prescriptive authority and "D" for therapeutic prescriptive privileges.

14-11-6. Treatment Guidelines.

6.1. A licensee who has an Injectable

Pharmaceutical Agents Certificate may administer injections which are considered rational to the diagnosis and treatment of the human eye or its appendages.

6.2. The Board will maintain a list of approved sites and agents for the administration of pharmaceuticals by injection for public inspection. The list will contain treatment guidelines for each agent approved by the Board for injection.

6.3. The licensee shall follow all applicable Occupational Safety and Health Administration (OSHA) and Centers for Disease Control (CDC) guidelines pertaining to administration of injections.

6.4. The licensee shall adhere to generally accepted standards of care and follow established clinical guidelines for administering injections. The licensee shall monitor patient response and provide appropriate follow up care for patients treated by injections.

6.5. Unless requested through an emergency rule of the West Virginia Legislature or the Federal Government through the Department of Homeland Security or its successor organizations, a licensee shall only administer agents through injection that are for the treatment and management of abnormalities of the eye or its appendages.

6.6. In no event may a licensee be granted an Injectable Pharmaceutical Agents Certificate administer a pharmaceutical agent by injection directly in the globe of the eye.

§14-11-7. Continuing Education.

7.1. The licensee holding an Injectable Pharmaceutical Agents Certificate must maintain current certification in basic life support as listed in subsection 4.3.

7.2. The licensee who holds an Injectable Pharmaceutical Agents Certificate must obtain a minimum of two (2) hours of continuing education instruction in administering pharmaceutical agents by

injection per two year continuing education cycle as listed in 14CSR10-2.3(d).

§14-11-8. Reporting.

8.1. Each licensee who possesses a certificate to administer pharmaceutical agents by injection shall comply with the following reporting requirements.

8.2. Any reporting that may contain patient Protected Health Information (PHI) shall be done in accordance with the Health Insurance Portability and Accountability Act (HIPAA) patient privacy requirements.

8.3. The licensee shall document in the patient's record that the patient's primary care provider was notified of any injection given to the patient for record documentation. This notification may be made by fax, documented phone call, standard U.S. mail or the licensee may provide a written statement to the patient regarding the injection(s) with instruction to the patient to give the listed injection information to his or her current primary care provider.

8.3.1. The above reporting procedure serves to inform the patient's primary care physician as to the rationale and outcome of a licensee's treatment, report any adverse outcomes, and assist in collaborative care of common patients. In no event shall such reporting be construed as permission or approval of an order for treatment by injection.

8.4. A log book of all injections given shall be maintained including:

8.4.1. The patient's initials, age, gender and race;

8.4.2. A statement indicating the purpose of the injection;

8.4.3. The name of the medication administered and the type and location of the injection;

8.4.4. The treatment guidelines followed which must be compliant with the guidelines approved by the Board which are on

file at the Board Office.

8.4.5. The name and certification or licensure level of any persons working in conjunction with the licensee to administer agents through injections;

8.4.6. How the primary care provider was notified that the patient had been given an injection.

8.5. A copy of the injection log book shall be submitted to the Board upon request. This log book may be requested at any time by the Board with or without cause.

8.6. The Board may request the licensee to supply the complete medical record for any of the patients listed in the log book for review. The Board may also request an audit of the licensee's full records to ensure compliance with injection certificate requirements.

8.7. If a patient has an adverse event related to the administration of any agent through injection, the licensee must provide the Board with an incident report listing the details of the adverse event and the measures used to correct that event. This report must be received by the Board within 5 business days of the resolution of the adverse event.

§14-11-9. Delegation.

9.1. Nothing in this rule or W. Va. Code shall permit a licensee who has not been certified to administer injections of pharmaceutical agents by the Board to delegate to any individual the administration of pharmaceutical agents through injection.

§14-11-10. Restrictions.

10.1. Nothing within this rule or the W.Va. Code prohibits the administration of pharmaceuticals by injection to a patient by a certified licensee for a reasonable charge provided, there is no mark up on the cost of the pharmaceutical agents provided in the injection. Nothing this rule shall prohibit the optometrist from charging a usual and customary fee for performing the injection.