

*State of New Mexico*  
*Senate*

FIFTY-SEVENTH LEGISLATURE  
FIRST SESSION

March 21, 2025

SENATE FLOOR AMENDMENT number 1 to HOUSE BILL 36, as amended

Amendment sponsored by Senator Katy Duhigg

1. On page 6, between lines 18 and 19 and after House Health and Human Services Committee Amendment 3, insert:

"SECTION 4. A new section of the Optometry Act is enacted to read:

"[NEW MATERIAL] CREDENTIALING REQUIREMENTS FOR INDEPENDENT PERFORMANCE OF LASER PROCEDURES--ADVERSE OUTCOME REPORTING--TEMPORARY BOARD APPOINTMENTS.--

A. An optometrist shall not perform the following procedures independently unless the optometrist has obtained the credentials required by the board to perform the procedures:

(1) laser application to the lens capsule in the treatment of capsular clouding or other defects; and

(2) laser application to structures within the ocular anterior segment for the prevention or treatment of glaucoma.

B. To obtain the credentials required by the board to perform the procedures listed in Subsection A of this section independently, an optometrist shall:

(1) observe in-person the performance of the following procedures by a licensed ophthalmologist:

(a) ten yttrium aluminum garnet laser capsulotomies;

(b) ten selective laser trabeculoplasties; and

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(c) four laser peripheral iridotomies; and  
subsequently; and

(2) successfully perform each of the following  
procedures on live human patients, under the direct, in-person  
supervision of a licensed ophthalmologist:

(a) ten yttrium aluminum garnet laser  
capsulotomies;

(b) ten selective laser trabeculoplasties; and

(c) four laser peripheral iridotomies.

C. An optometrist who has obtained the required  
credentials to perform the procedures pursuant to Subsection B of  
this section but has not performed any of the procedures within the  
preceding twelve months shall be required to perform that procedure  
once under the direct supervision of a licensed ophthalmologist  
before resuming independent performance of that procedure.

D. An optometrist shall report any adverse outcome  
resulting from the optometrist's independent performance of a  
procedure listed in Subsection A of this section to the board within  
ten days of the occurrence. The report shall include relevant  
documentation required by the board.

E. The board shall be required to have at least one member  
of the board that is certified in the procedures listed in  
Subsection A of this section. The governor shall appoint a licensed  
optometrist who is currently credentialed to perform all such  
procedures. If an optometrist certified in all such procedures is  
unavailable to serve on the board, the governor shall appoint a  
licensed ophthalmologist to temporarily serve on the board in lieu  
of an uncredentialed member. The term of the temporary appointment  
shall be until there is made available, and the governor appoints,


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an optometrist currently credentialed to perform procedures listed  
in Subsection A of this section."".

  
Katy Duhigg

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)  
Date \_\_\_\_\_