

HB 349-FN - FINAL VERSION

7Jan2026... 2969h

7Jan2026... 0032h

2026 SESSION

25-0692

05/09

HOUSE BILL

349-FN

AN ACT relative to the practice of optometry and authorization to perform ophthalmic laser procedures.

SPONSORS: Rep. Kofalt, Hills. 32; Rep. Gregg, Hills. 7; Rep. Peternel, Carr. 6; Rep. Seidel, Hills. 29; Sen. Rochefort, Dist 1; Sen. Altschiller, Dist 24; Sen. Pearl, Dist 17; Sen. Ward, Dist 8; Sen. Prentiss, Dist 5

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill authorizes optometrists who meet criteria established by the board of registration in optometry to perform certain ophthalmic laser procedures.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the practice of optometry and authorization to perform ophthalmic laser procedures.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Authorization to Perform Ophthalmic Laser Procedures. Amend RSA 327 by inserting after section
2 6-c the following new section:

3 327:6-d Authorization to Perform Ophthalmic Laser Procedures.

4 I. Notwithstanding any other provision of this chapter, an optometrist licensed under this chapter
5 shall be authorized to perform the following ophthalmic laser procedures upon certification by the board:

6 (a) Laser capsulotomy.

7 (b) Laser trabeculoplasty.

8 (c) Laser peripheral iridotomy.

9 II. The board shall adopt rules under RSA 541-A establishing the criteria for certification of an
10 optometrist to perform ophthalmic laser procedures with proficiency, including:

11 (a) Establishment of minimum education, training, and live experience requirements for a
12 licensee to perform such procedures with proficiency;

13 (b) Criteria for requiring proctoring and criteria for proctors;

14 (c) Outcome reporting requirements for such procedures performed by certificate holders;

15 and

16 (d) A means of identification and verification of optometrists certified to perform advanced
17 procedures.

18 III. No optometrist shall perform ophthalmic laser procedures under this section unless the
19 optometrist has submitted evidence of satisfactory completion of all requirements for specific procedures
20 and the board has certified the optometrist as qualified.

21 IV.(a) To be certified by the board to perform ophthalmic laser procedures as specified in
22 paragraph I, an optometrist licensed under this chapter shall:

23 (1) Complete the required application designated by the board;

24 (2) Submit evidence of successful completion of a laser course approved by the board
25 that includes didactic and clinical training relative to the ophthalmic laser procedures set forth in
26 paragraph I; and

27 (3) Demonstrate clinical proficiency in performing the specified ophthalmic laser
28 procedure on a living human eye in the presence of, under the direct supervision of, and to the satisfaction
29 of a board-approved proctor. The proctor shall be an ophthalmologist or an optometrist who is authorized
30 to perform the laser procedure. The licensed applicant shall submit to the board evidence of a minimum

1 of 5 laser capsulotomy, 5 laser trabeculoplasty, and 4 laser peripheral iridotomy procedures performed
2 with proficiency under proctored supervision.

3 (b) A licensee may apply for certification separately and may receive certification individually
4 for each approved ophthalmic laser procedure based upon the above criteria applied individually for each
5 approved procedure.

6 V.(a) An optometrist licensed under this chapter may apply for laser certification by endorsement
7 from another state by completing the following:

8 (1) Complete the required application for laser certification by endorsement designated by
9 the board.

10 (2) Submit evidence of licensure in good standing in another state.

11 (3) Provide certification by that state to perform the ophthalmic laser procedures as
12 specified in paragraph I.

13 (4) Submit evidence of successful completion of a laser course approved by the board
14 that includes didactic and clinical training relative to the ophthalmic laser procedures set forth in
15 paragraph I.

16 (5) Submit evidence of successful completion of a minimum of 5 laser capsulotomy, 5
17 laser trabeculoplasty, and 4 laser peripheral iridotomy procedures performed.

18 (b) A licensee may apply for certification separately and may receive certification individually
19 for each approved ophthalmic laser procedure based upon the above criteria applied individually for each
20 approved procedure.

21 VI. Prior to any procedure permitted under paragraph I, the licensee shall obtain a patient-signed
22 informed consent form that includes the nature of the procedure, known potential benefits and
23 risks/complications, alternative treatment options, expected prognosis without treatment, and the
24 provider's credentials. The signed informed consent form shall remain part of the patient's medical
25 record.

26 2 Effective Date. This act shall take effect 60 days after its passage.

27
28 VETOED March 27, 2026 / Veto Sustained April 9, 2026

HB 349-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENTS #2025-2969h and #2026-0032h)

AN ACT relative to the practice of optometry and authorization to perform ophthalmic laser procedures.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	Indeterminable Increase	Indeterminable Increase
<i>Revenue Fund(s)</i>	Office of Professional Licensure and Certification Fund			
Expenditures*	\$0	\$0	Indeterminable Increase (\$10,000 to \$100,000)	Indeterminable Increase (\$10,000 to \$100,000)
<i>Funding Source(s)</i>	Office of Professional Licensure and Certification Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill authorizes optometrists who meet criteria established by the Board of Registration in Optometry to perform certain ophthalmic laser procedures. The Office of Professional Licensure and Certification (OPLC) states that the creation of new license types could lead to indeterminable additional costs between \$10,000 to \$100,000 for processing applications and may require third-party testing contracts for licensure examinations. However, it could also generate additional revenue for the OPLC through fees. Although the Office already has staff to handle licensing for the Board, it is impossible to determine how many optometrists will seek one or more of these new license types.

It is assumed that any fiscal impact would occur after FY 2026.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification