

as follows, immediately following the words "not to exceed one year."

Mr. HORTON. That is shown starting on line 22 of page 14 of H.R. 12276.

Dr. CHAPMAN (reading) :

(4) a person from acting as an assistant under the direct personal supervision of an individual licensed by the District of Columbia to practice optometry, medicine, or osteopathy, provided such assistant does not perform an act which would require professional judgment or discretion.

That is the addition of a new subsection (4).

Mr. HORTON. Yes.

Mr. HARSHA. On line 23 page 14 of the new bill, H.R. 12276, the phrase "direct personal supervision" appears. Does that mean the optometrist or the ophthalmologist, whoever it may be, has to be in the room overseeing what the nurse or the assistant is doing?

Dr. CHAPMAN. I know the question is well asked. The point I would make here is simply that there has been a great deal of question, and in many instances court proceedings, regarding this question of direct personal supervision. As applied to subsection (4), I would have to interpret this out of my own knowledge as to what I envision for the ophthalmologist to have at his disposal, the use of technicians and people within his office, that any act which literally did take professional judgment or discretion, he would be the only one able to do, and other acts would be where he would have definite control over or overseeing what these people are doing.

Whether it is in the same room, I cannot answer. In my understanding of words, I would say perhaps in the same room, but I understand, too, there is considerable question about direct supervision.

Mr. FUQUA. I think it was intended this would be similar to the dental hygienist or nurse assisting the doctor, that they could not be 10 miles away in another branch office making professional decisions with the doctor somewhere else; that they would have to work under his direct supervision. I do not know whether it means in the same room. They probably could give certain eye chart readings or something like that.

Mr. HARSHA. Suppose you are conducting an examination of school students, and you have a nurse or assistant there who has not the degree of training that you have. Does it take medical judgment to interpret an eye chart?

Dr. CHAPMAN. In that sense, it does not, and this bill provides that the screening system, and so forth, utilized by nurses under supervision, but under supervision only in the sense that supervision comes from the direction of the program, the design of the method, and so forth. No, there would not have to be a professional man in attendance at that time, and this bill so provides.

Mr. HORTON. How many more changes do you have, Doctor?

Dr. CHAPMAN. I shall have to follow the original bill. We are looking at the copy of the bill you have.

Vision screening programs, on page 15 line 3, of H.R. 12276, involves the question you just asked about, Mr. Harsha.

Mr. HORTON. That is simply a language change. That is now No. (5) on line 3, page 15.

Dr. CHAPMAN. Correct. Line 6 subsection (6), on page 15 of H.R. 12276 is new: "persons from supplying spectacles or eye glasses on