

Dr. CHAPMAN. There is extensive privilege given in the bill to the practitioner who has before him the charge of qualifying himself to practice. He is given every alternative and every opportunity with the Board to give testimony to substantiate his case.

Mr. WHITENER. Page 9, lines 4 and 5 "Practice optometry in any retail, mercantile, or commercial store."

I don't know how it is in your town, but down my way I can name one town where there are three different lawyers who are friends of mine, and very ethical. One has an office in his father's building supply store. Another is a banker and has his law office right in the banking house, you go through the main banking room into his office. Another is an automobile dealer and he has his law office right in his automobile agency. It is all in one facility.

What is the evil with regard to a professional man having his office in a retail or mercantile store as long as he is a private practitioner of the profession?

Dr. CHAPMAN. Because he utilizes the location and the geographic area where he is for the purpose of enticing people within his practice, and the purpose for being there is to have a great deal of traffic so they can see his place and come into it.

Mr. WHITENER. Did you ever see a lawyer or an optometrist try to rent a corner office on a lower floor of an office building in the square of town of 25,000 to 30,000 people, with windows on each side of the main street and side street?

Dr. CHAPMAN. This is permissible.

Mr. WHITENER. Then he puts up a nice goldleaf sign on his window—"John Doe, Attorney at Law. John Smith, Optometrist."

What is the purpose of that?

Dr. CHAPMAN. As long as they are not advertising that they are on that corner with flashing neon signs they would be permitted to be in that location, depending upon the individual state, the law involved, and the requirements of it.

He can practice in such a place in my own state as long as he does not advertise and as long as he maintains the rules and regulations of the Board of Optometry.

What we are trying to do here is to make certain that the public is protected by jurisdiction of the optometrist by a board, simply trying to make the profession of optometry to be practiced in a way that it will be protective to the public in the District of Columbia.

Mr. WHITENER. There may be other reasons for being in that store. In the case of one of my lawyer friends the reason he is in the building is that this is his family business and he can practice law as a private practitioner, but yet he can be available to help his father and other members of the family run that business.

This is not dragging people in off the streets because he is not on the main thoroughfare.

There can be other reasons for being in the store.

Dr. CHAPMAN. There may well be but in this particular instance our concern is with the blatant advertised, commercial environment for the practice of optometry which we believe—

Mr. WHITENER. On page 11, line 11, you use the term "ophthalmic materials." What are ophthalmic materials? Would that include Murine?