

FOR IMMEDIATE RELEASE, WEDNESDAY, MAY 3, 1967

LESLIE SLOTE, PRESS SECRETARY TO THE GOVERNOR

STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY

May 2, 1967

MEMORANDUM filed with Senate Bill Number 3335-A, entitled:

#274

"AN ACT to amend the education law, in relation to the practice of the profession of optometry"

NOT APPROVED

This bill would prohibit a corporation or other retail firm or store from employing a licensed optometrist to provide optometric services to persons other than fellow employees. The bill would also prohibit an optometrist from establishing a practice in association with any person not licensed as an optometrist.

This bill appears to embody conflicting and ambiguous provisions. The bill in its present form would make it illegal, for example, for an optometrist to practice his profession in association with other licensed medical practitioners. It appears to require a prescription for optical instruments that have no necessary relationship to the correction of any visual defect or deformity such as binoculars, microscopes and telescopes. It appears to make it illegal for an optometrist to open an office in any commercial office building or shopping center since under the provisions of the bill such a building is a "place" where occupations unrelated to the practice of optometry are carried on. It attempts to permit those now employed by a corporation or other firm to continue this employment, but in another subdivision of the bill it makes it a misdemeanor to provide such employment.

Moreover, the Insurance Department, in urging disapproval of this bill has written to me as follows:

"... The Department is concerned with the bill since it could prevent union welfare funds and health centers regulated by Article III-a of the Insurance Law from employing the services of optometrists, and hinder the right to choose optometric vendors thereby increasing the cost of optometric services with no foreseeable benefit to members. In addition, insurers who cover the cost of optometric materials would be faced with increased costs which would have to be ultimately reflected in the rates with no increase in the quality of services for the foreseeable future.

*** Permanent

"The Department favors the highest quality optometric care, but this legislation will not accomplish such result. The bill is penal in nature and violation of its vague provisions is a misdemeanor. Because of its defects and ineffectiveness, we urge that it be vetoed."

Also recommending disapproval of this bill are the Department of Commerce, the New York State AFL-CIO, the Association of the Bar of the City of New York, and the National Association of Optometrists and Opticians, among numerous others.

The bill is disapproved.

(Signed) NELSON A. ROCKEFELLER