

The general aim of any legislation proposed for the improvement of the practice of optometry in the District of Columbia should be to further protect the public against ignorance, incapacity, deception and fraud in connection with the care and preservation of our most priceless possession * * * the God-given gift of vision. While the 43-year-old District of Columbia Optometric Act has remained unchanged since its original date of enactment in 1924, other states have regularly enacted improving amendments. Such a state is New Jersey. Dr. E. C. Nurok, a veteran member of the New Jersey Board of Optometric Examiners and Chairman of the Advisory Law Committee of the International Association of Boards of Examiners in Optometry has supplied me with the following historical information concerning the legal development of optometry in his state, and I will quote from it:

"The first law licensing optometrists was enacted in Minnesota in 1902. Our law has been amended many times and the standards of practice now required by act of our legislature are higher than those of any other profession in the state, and, as far as I have been able to ascertain, higher than those of any profession in all fifty states.

"In a matter heard in the Appellate Division of the Superior Court of New Jersey, the *New Jersey State Board of Optometry vs. Hilda Koenigsberg*, Judge Francis, in referring to the progress of optometry in New Jersey, stated, 'The history of this legislation portrays a progressively broader concept of optometrical activities.' When the act was adopted in 1914, the practice was defined to be 'the employment of any means, other than the use of drugs, for the measurement of vision and the adaptation of lenses for the aid thereof.' L. 1914, c. 222 § 1. In 1919, the definition was amended to be 'the employment of objective and subjective means for the examination of the human eye for the purpose of ascertaining any departure from the normal, measuring its powers of vision, and adapting lenses for the aid thereof.' L. 1919, c. 59, § 1.

"The restriction 'other than the use of drugs' was removed more than 40 years ago.

"Judge Francis added 'then in 1932 the present comprehensive statement as to what shall be deemed the practice of optometry was included.' L. 1932 c. 75 § 1. The right to use of drugs was permitted for examination and diagnosis.

"In subsequent years, the Optometry Law was amended to prohibit all commercialism, such as neon signs, large signs, the display of glasses, advertising, corporate practice, practice in a mercantile establishment etc."

This description of developments in New Jersey has not been paralleled in the District and many of the problems resolved by amending the optometry law in New Jersey continue in the District. We have made some gains, however, by voluntary action.

Mr. Chairman, I am proud to report that another committee of our optometrists is responsible for the formation of a "third party" organization to provide optometric services. This is known as the Optometric Center of Metropolitan Washington. It is a not-for-profit corporation through which members of the Optometric Society provide their services to the indigent and poor of the nation's capital. The Center's Board of Trustees is comprised of leading members of the community, including leaders from organized labor who contribute not only their valuable time in guidance and supervision, but in many cases provide funds for purchase of ophthalmic materials required to care for patients of the Center. I'm particularly glad to report that some of the larger donations have been made by the local Teamster's Union, a group which has a prepaid vision program sponsored by our Society through the not-for-profit corporation known as Vision Care Services. Another large contributor is the District of Columbia Public Health Department which contracts with the Center to provide services to a number of its beneficiaries. A news story about the opening of the Optometric Center of Metropolitan Washington is shown on attachment 9.

When I. Philip Sipser, counsel for United Optical Workers Union Local 408 of the International Union of Electrical Workers, AFL-CIO, testified on behalf of that group in favor of S. 260, the "Medical Restraint of Trade" bill, his testimony closed with this statement: "* * * we see the Hart Bill as a necessary measure limiting doctors, including ophthalmologists, to the practice of medicine, and as a measure dampening their ardor for lucrative earnings in commerce by medical shortcuts, use of untrained personnel, business sales and otherwise. We urge that the bill be reported out favorably and enacted without delay." While Mr. Sipser did not mention the practice of optometry, we feel the same restraints