

leave there and the optometrist says nothing to them about any problems?

Would it be a possible amendment to the present law?

Dr. ALBERT. I think it would be something that would be desired. Our interest is to protect the public so that the optometrist will not miss patients who have pathology. Perhaps some of these patients who have poorer than 20/30 vision, there is no pathology present. This is a very unlikelihood.

Mr. GUDE. It is very unlikely that a person whose vision can be correctable has no pathology?

Dr. ALBERT. It is not impossible, that is right.

Mr. GUDE. In other words, this particular test will screen out the——

Dr. ALBERT. The great majority of pathologic states which we feel are being missed.

Mr. GUDE. Do you have in the organization that you all represent any suggested amendments as far as the advertising area goes?

Dr. ALBERT. We do not feel that that is in our province. The optometrists themselves should be the ones who control this as we do with our code of ethics. It is as the law profession does and as the dental profession does.

Dr. ALPER. We feel so strongly about ethics in the District of Columbia that we passed a motion in our section of ophthalmology and it was issued to all members of the Medical Society that anyone who dispensed lenses, eyeglasses in the District, was considered an unethical act.

As Mr. Warren Magee stated a moment ago, there have been only one or two violations of that act since the motion was passed. We feel that we have a very ethical community and we police ourselves. We feel that the optometrists can do the same. I think it is a laudable thing that they want to do this. I do.

Mr. GUDE. You gave us the specific language. You do have specific language in the amendment that you framed. Is this amendment the law in many States, this requirement of the referral?

Dr. ALBERT. Not to our knowledge.

Mr. GUDE. Thank you, Mr. Chairman.

Mr. SISK. I would like to question you a bit further. May I refer you to page 14, line 22, H.R. 12276.

Dr. Albert, in this language there you understand there are certain exemptions provided in the act which do not apply. Then going back to the bottom of page 12 it states: "Nothing in this Act shall be deemed to prevent—

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

We are interested in seeing to it that there is no interference with the doctors' use of assistants, nurses, or screening procedures in schools. The members of the subcommittee would like very much to cooperate with you there in attempting to draft legislation with an interpretation that legally would permit you the right to use assistants.

How do you interpret this language on line 22, page 14?

Do you interpret it as being still too restrictive?