

New York State Optometric Association was our principal antagonist. I believe that during the course of that trial a considerable amount of factual information, evidence, both oral and written, was introduced which I think would be of much interest to this committee and of great significance to this committee. That perhaps explains why my memorandum is perhaps larger than some, because I have attempted to include in that statement much of the material fact developed during this seven-week trial and otherwise.

Now, first with regard to optometry and the private practice of optometry. Optometrists, we heard this morning, are not medically trained, as such. Nevertheless, in this action in Albany, which I will refer to as *Sterling vs. Regents*, the New York State Optometric Association submitted to the court a brief in which they argued that optometrists were capable of discerning and diagnosing the presence of incipient diabetes, brain tumor and glaucoma. As a matter of fact, certain of the witnesses produced by the New York State Optometric Association urged to the court that optometrists were better able, perhaps, to discern the presence of such pathology than trained ophthalmologists.

Other evidence adduced in the court in that proceeding established that in optometry—most optometrists use the title “Doctor.” Evidence was adduced that members of the public are not really aware of the extended limitations of training of optometrists and that the use of the title “Doctor” tends to increase such confusion.

We discovered also that many optometrists employ the title “Doctor” as a result of a quickie doctorate degree. As a matter of fact, earlier this year the New York State Optometric Association urged to its members who did not have a doctorate degree and therefore did not lawfully have the right to use the title “Doctor” that they attend a 13-week course for two days a week, pay \$500, write a thesis and get their doctorate degree.

We also know, and it was proven in this case—and I am now talking about *Sterling v. Regents*, that some optometrists, including leading members of the New York State Optometric Association, use the title “Doctor” in dealing with their patients even though they do not have the semblance of right to do so. Even though they do not have a “quickie” degree. This problem was put to the Administrative Director of the New York State Optometric Association, one Dr. Ashley King, and it was pointed out to him that under the laws of the State of New York this practice was illegal, expressly made criminal, and we asked him whether he regarded the use of the title “Doctor” in these circumstances as professional, even though illegal, and strangely enough this spokesman for the New York State Optometric Association stated that in his opinion it was professional, even though illegal.

I might say that I have difficulty reconciling that standard of professional conduct with the high principles espoused by the New York State Optometric Association and the American Optometric Association before these hearings.

I have also appended to my submission as Exhibit 3 a suggested list of professional terminology originating with the American Optometric Association which I submit indicates that this confusion which I