

I think the proof in the *Sterling Regents* case indicates that under the most adverse circumstances, paid detectives giving false symptoms were properly prescribed eyeglasses by Sterling, indicates that it is not the length of the examination that controls. It is the ability of the examiner and his desire to give proper and appropriate service. There was not a single one of those 21 examinations which were proven in any way to have been inaccurate, inappropriate, or harmful to the public or any of the patients who came in to be examined. What better proof could there be that we are rendering good, accurate, careful service to the public than that?

Mr. SISK. You heard me cite an excerpt from a case where an individual was recently fitted. I am not picking on Sterling. I might say that, frankly, I have had it said to me that among the corporate setups locally, there are some that, let us say, do not measure up to even Sterling's standards. Certainly we know of some, and because of experiences with the law and otherwise.

Were you in the room when I cited the case with reference to Sterling? The patients when dissatisfied were told they have to go to New York. This is a normal procedure for Sterling. If I go back and complain I can not get a recourse here in Washington. It has to go through the channels in New York?

Mr. STEIN. Congressman Sisk, let me say that as a lawyer I find it rather difficult to respond to a claim without having all the facts. I can tell you, however, that if any patient has any problem in any one of the 13 stores, the professionals in charge of that store have complete and absolute authority to deal fairly with that patient and are instructed to do so.

There is absolutely no practice requiring that person to go to New York. I might say that in this instance I should point out that the optometrist who did or does the contact lens work case in Sterling in the District of Columbia is probably the most competent contact lens specialist of any optometrist in the District of Columbia. He does that. He does that only. He does that every day.

I might also say that this person is entering private practice now. His standards, I assure you, will not be any different in private practice than they were in the course of his employment. He is highly qualified, highly competent, and no one else tells him how many contact lens cases he must do a day. He does as many as he can completely do in the light of the requirements of the patient and his concern about giving that patient the best care possible.

Mr. SISK. Would you agree with me probably he will be in a much better position to serve the public in private practice than he would in, say, the employ of a corporation where profit is the only motive?

Mr. STEIN. Quite the contrary. In Sterling he has the aid and assistance of competent opticians, dispensers, laboratory personnel. He does not have to concern himself about paying next month's rent.

Mr. SISK. Those are available to all of them?

Mr. STEIN. If they can afford it. If they can afford it. That may be the reason why some privately practicing optometrists tend to over-prescribe so they can meet obligations of rent, meet their obligations to satisfy the payroll that they have, or need to provide adequate service.