

the customer in person from trays or other containers, containing such merchandise, and any other method of sale or delivery shall be construed as practicing optometry."

UTAH: § 4 subdivision (c) Similar to Illinois Optometric Law.

VERMONT: § 6883. Similar to California Optometric Law.

VIRGINIA: Article 1. § 54-369. " * * * nor shall anything in Sec. 54-396, subsection (10) be construed to prohibit the sale of spectacles and eyeglasses, or any of such articles, as merchandise, from a regularly located and established place of business."

WASHINGTON: § 18.53.040 Similar to District of Columbia Law.

WEST VIRGINIA: § 4. (d) Similar to District of Columbia Law.

WISCONSIN: § 153.02 (2) "This section shall not apply to * * * the sale of spectacles containing simple lenses of a plus power only at an established place of business incidental to other business conducted therein, without advertising other than price marking on the spectacles, if no attempt is made to test the eyes. The term 'simple lens' shall not include bifocals."

WYOMING: § 37.1802. Similar to California Optometric Law.

LEGISLATIVE BULLETIN TO KEYMEN AND COUNTY SOCIETY SECRETARIES

For easy reference we present this compilation of the official positions of The Medical Society of New Jersey concerning the following bills *relating to the practice of optometry*:

S-209—To include under the scope of laws dealing with the practice of optometry any who offer and market for sale at retail to the general public spectacles or eyeglasses containing other than plano lenses. *DISAPPROVED* as unnecessary, because the vending of such glasses is not proper or exclusive to the practice of optometry, whose fundamental function (under law) is to examine for defects of vision and to prescribe corrective lens. This legislation would deny to the public access to low-cost eye-glasses of simple magnification, and thus is restrictive of free choice and is discriminatory.

S-210—To include in the practice of optometry any person who prescribes or dispenses to the general public spectacles or eye-glasses containing other than plano lenses. *DISAPPROVED* as unnecessary, because the vending of such glasses is not proper or exclusive to the practice of optometry, whose fundamental function (under law) is to examine for defects of vision and to prescribe corrective lens. This legislation would deny to the public access to low-cost eye-glasses of simple magnification, and thus is restrictive of free choice and is discriminatory.

S-213—To provide that any person who practices ophthalmic dispensing in violation of the act governing regulation of the practice shall be liable to a penalty of not more than \$200. *DISAPPROVED*, because it would deny to the public access to low-cost eyeglasses of simple magnification, and thus is restrictive of free choice and is discriminatory.

To the Honorable Members of the New Jersey State Senate, Greetings:

Whereas the Academy of Ophthalmology and Otolaryngology of the State of New Jersey, representing, among others, the leading eye physicians practicing in the State of New Jersey, have examined the legislative proposals known as Senate Bills 209, 210, and 213, now before the Senate of the State of New Jersey; and

Whereas each of these bills, though different in wording, is directed toward the same purpose; and

Whereas Senate Bills 209, 210 and 213 are identical with Senate Bills 142, 335 and 336 of 1966, which were opposed by this organization; and

Whereas the alleged purpose of Senate Bills 209, 210, and 213, is to protect the eye health of the public by compelling the purchasers and wearers of eye glasses to buy only under prescription from an ophthalmologist or an optometrist, and thereby afford to such purchasers the protection of the discovery of eye disease and the diagnosis thereof, through the prohibition of the sale of ready-to-wear glasses: Now, therefore, be it

Resolved, That the Academy of Ophthalmology and Otolaryngology of the State of New Jersey is opposed to the enactment of Senate Bills 209, 210 and 213 for the reasons:

1. Such legislation is unnecessary for the protection of the public health;
2. Such legislation will fail to accomplish its stated purpose in that optometrists are neither authorized by law nor qualified by education to administer medicine, or diagnose diseases of the eye;