

lenses, why should this visitor be required to do without his glasses until he gets home or be forced to have his eyes refracted while in this city? Why should this visitor be subjected to this hardship when any optician could easily get the person's prescription over the telephone and make the glasses? Why should residents be subjected to similar inconveniences? Furthermore, this is not a matter for regulation under an optometry law.

Thirdly, there is the question whether an optician under 9 (c) is permitted to fill prescriptions written by an optometrist or a physician or osteopath not licensed in the District of Columbia. As Mr. Whitener has already pointed out, 9(c) must be read together with Section 3(3) which states that "as used in this Act 'optometrist' means . . . an individual licensed to engage in the practice of optometry in the District of Columbia." Therefore, it is definite that Section 9(c) prohibits an optician from filling a prescription written by an optometrist who is not licensed in the District of Columbia. This Section 9(c) could also be interpreted to prohibit the optician from filling the prescription of a physician or osteopath not licensed in the District, for while the bill does not give any definition of physicians or osteopath, it always qualifies him as one "licensed under the laws of the District of Columbia."

We objected very strongly to this prohibition last year as did several members of the Committee, District officials and other witnesses. Amending language was submitted but the present bill has not clarified this point.

Fourthly, Section 9(c) goes on to say that this act shall not apply to any person "who repairs or restores eyeglasses or spectacles to their previous condition of usefulness." What does this mean? It would probably permit the optician to put a new screw in a temple. But would it permit him to put on a new temple? We do not know, because it is not clear. Would it permit him to put on a new front? We do not know, because it is not clear. Can he put on one new temple and a front or can he replace both temples so long as he does not put on a new front? If he can put on a new front, which requires remounting the lenses, why can he not sell the customer a whole new frame? Yet, if he sells a whole new frame, is he doing more than merely restoring a pair of glasses to their previous condition of usefulness?

What about restoring lenses to their previous condition of usefulness? Suppose you crack the right lens in your glasses in two equal parts. This clause would permit the optician to cement the two parts together and put them back in the frame where the cement might bother your vision; but would it permit the optician without a prescription to duplicate your old lens and give you a new one without any obstruction or interference? It is not clear.

Many words were spoken by the proponents of the bill in the last Congress about why the optician should be prohibited from duplicating lenses and supplying a new frame. However, the proponents failed to show how such a prohibition is in the interest of the public. If this bill is intended to permit the optician to supply new frames and to duplicate lenses without a prescription, it should be clearly stated.

Unless the optician is permitted to supply new frames and duplicate lenses without a prescription, it will inflict serious injury on the public. It will mean that the eyeglass wearer, unless there is a written prescription, must have his eye examined, whether he wants to or