

We look with favor on efforts to upgrade and improve the practice of optometry but this bill goes farther than that. It takes away traditional rights of dispensing opticians who have an older place in this history of eyecare than the optometrist and restricts his legitimate and appropriate business of serving the public both to the detriment of the optician and the public need. The bill should deal simply and straightforwardly with the practice of optometry alone.

Now, I wish to comment on the objectionable features which have been added or changed in the new bills.

Section 2.

In Section 2 of H.R. 12276 as well as in other sections of the bills, there is increased preoccupation with identifying optometry as a profession. Defining optometry "as a profession" seems designed to give optometry an unnecessary professional status. We see no need or necessity in legislating a profession. The medical professions fills this need in the field of eyecare.

Section 3.

In Section 3 (2) of H.R. 12276, the practice of optometry is defined to mean, "any one, any combination, or all of the following acts or practices *as they are included in the curriculum of recognized schools and colleges of optometry.*" The definition then lists such acts or practices. What is the significance of the clause "as they are included in the curriculum of recognized schools and colleges of optometry"? As Mr. Horton has already noted, the meaning is indefinite because by changing the subject matter of a course dealing with one of the practices listed in the definition, the definition of the practice of optometry could be changed without recourse to the Congress and so might include inconsistent and objectionable practices. The bill should be amended to eliminate the reference to curriculum as is the case in H.R. 732 and H.R. 595.

Section 4.

In Section 4, (7) which deals with the subject matter of examinations for an optometric license, there is included the subject of "practical optometric dispensing". We suggest that the word optometric be deleted and the word optical or ophthalmic be substituted. The reason for this request is that these bills treat the field of eyecare as though it were the exclusive domain of optometry, whereas the optician, as explained in detail in my statement on H.R. 12937, was practicing his skills centuries before there was an optometrist—before the word optometry was ever invented.

This insistence upon calling almost everything in the eyecare field "optometric" paves the way psychologically and legislatively for the unwarranted restrictions which these bills place upon the practice of dispensing opticians.

Section 8.

Section 8 (a) (4) prohibits advertising the price or cost or *any reference thereto* of ophthalmic material of *any character*. While we do not object to the prohibition against price advertising of prescription eyeglasses and contact lenses to the general public, the prohibition in this subsection is so broad that it is unnecessarily restrictive.

It is restrictive because there is no definition of what constitutes optometric or ophthalmic materials, as Mr. Whitener and others have already pointed out. In another section (Section 7 (a) (8), the term "optical" material is used—to further confuse the issue. Are optometric materials, ophthalmic materials and optical materials one and the same or different? These terms *need to be defined* for it certainly cannot be the intent of the proponents to prohibit advertising the price or cost or any reference thereto of such material materials as lens tissue, lens cleaner, magnifiers, binoculars, Murine and eyeglasses cases.

Actually, the use of the adjective "optometric" to describe any kind of materials is incongruous. A profession, and this bill would declare optometry "a profession", by its nature deals in services, not products or materials. The word optometric should be deleted. Again, however, the word optometric is used to pave the way for the legislative restrictions on opticians proposed under this bill.

Section 8 (a) (5) makes it unlawful to solicit patients by means of offering credit for the purpose of obtaining patronage. There are dignified and "modest" advertisements by dispensing opticians in the Yellow Pages which carry the trade mark or insignia of Central Charge. Dispensing Opticians also display such a sign on their windows. Such display *is a public service* and yet this bill—in the interests of "professional" optometry prohibits such display.