

paragraph is corrected from "f" to "e" as previously mentioned.) Section 3 (2) (e) defines *part* of the practice of dispensing opticians. We do not practice optometry. We do not wish to practice optometry and we do not wish to be charged with practicing optometry, even by way of an exception. We are dispensing opticians in our own right by virtue of our noble heritage and by virtue of the unequalled public service dispensing opticians have rendered for centuries.

The final clause of Section 9 (c) prohibits the optician from fitting contact lenses. This clause should be eliminated because, again, the proponents of this bill are trying to take away from the optician his traditional function of fitting contact lenses upon the prescription of an ophthalmologist, the specialist of the medical profession in eyecare.

We believe that the District of Columbia should have regulations on the fitting of contact lenses by opticians. We also believe that those rules should be as strict as, but no more strict than, rules worked out at a conference between the Section on Ophthalmology of the District of Columbia Medical Society and representatives of the Guild of Prescription Opticians and other opticians who dispense contact lenses. A copy of these rules is submitted as Exhibit B. Furthermore, we believe that the qualifications of opticians who fit contact lenses in the District of Columbia should be established. One method for doing this will be found in Exhibit F which will be submitted later.

The man who designed and introduced to America the first successful all-plastic contact lenses was a dispensing optician and a member of the Guild of Prescription Opticians. The man who holds the controlling patents on the present day contact lens was a dispensing optician. Dispensing opticians have made many other valuable contributions to the fitting of contact lenses as contained in my testimony last year. The indispensable role of the dispensing opticians is described in a recent article by Barnet R. Sakler, M.D., President of the American Association of Ophthalmology. A copy of this article is submitted as Exhibit C.

Despite the invaluable contributions dispensing opticians have made to the public in the contact lens field, this bill summarily eliminates the dispensing optician as a competing force in the fitting of contact lenses. What kind of justice is that?

To conclude my comments on Section 9(c), this bill gives optometry the role of the Great White Father who takes away everything dispensing opticians own and then in 9(c) the Great White Father parcels out a few tidbits which he knows cannot for long sustain the life of dispensing opticians.

Section 9(d) (4) states that "nothing in this act shall be deemed to prevent . . . a person from acting as an assistant under the direct personal supervision of a person licensed by the District of Columbia to practice optometry, medicine, or osteopathy provided that such assistant does not perform an act which would require professional judgment or discretion." The Medical Society representatives have already commented on this in detail and we agree with their views.

What is the effect of this on dispensing opticians? The bill is so restrictive of the practice of the dispensing optician that he will be driven into the physician's office to avoid violating the law. This paragraph then gives optometry the power to follow him into the physician's office to see that he performs nothing but menial tasks. The words "direct and personal" and everything after the word "osteopathy" should be eliminated.

Section 9(d) (6) states that "nothing in this act shall be deemed to prevent . . . persons from supplying spectacles or eyeglasses on prescription from a person licensed to practice optometry, medicine or osteopathy." Since Section 9(c) requires a *written* prescription, what is the meaning of 9(d) (6) which omits the word "written"? This is a "make believe" clause, that is, one which is intended to make the optician believe he is getting something but which in fact is negated by Section 9(c).

The bill while purporting to regulate exclusively the practice of optometry, is so restrictive and all-encompassing in the field of eyecare and grants so extensive a monopoly to the optometrist, that the optometrists have found it necessary to spell-out a specific exception to its terms in Section 9(d) (7) merely to permit opticians and drug and department stores to sell customary protective eyewear and everyday non-prescription sunglasses without the requirement of a written prescription.

This concludes our comments on the specific objectionable clauses in H.R. 12276.

In order to understand the complete picture of the monopolistic nature of this bill, several additional comments are necessary.