

"This Act shall not apply to any person who as a dispensing optician fills the prescription of a physician, surgeon or an optometrist for eyeglasses or spectacles, or to any person who fits contact lenses only on the written prescription and at the direction of a physician or surgeon, or to any person who duplicates, repairs, replaces or reproduces previously prepared lenses, eyeglasses, spectacles, or appurtenances thereto, including their adaptation to the wearer, and who does not practice or profess the practice of optometry."

Conclusion

In conclusion, there are three reasons why H.R. 12276 and other substantially identical bills should not be reported out of this Subcommittee.

1. They would substantially change the traditional pattern of eyecare in this city—without sufficient justification;
2. They would—again without justification—place unbearable hardships on dispensing opticians forcing some of them either out of business or into the suburbs;
3. Instead of being in the public interest, the bills would place unreasonable and ridiculous burdens of expense and inconvenience upon the general public.

EXHIBIT A

GUILD OF PRESCRIPTION OPTICIANS OF AMERICA, INC.,
Washington, D.C., March 31, 1966.

Hon. JOHN DOWDY,
Chairman, Subcommittee No. 4,
Committee on the District of Columbia,
U.S. House of Representatives,

DEAR MR. CHAIRMAN: During our testimony before your Subcommittee March 23rd on H.R. 12937 and its companion bills, we pointed out that—

- a. this bill will substantially change the traditional patterns of visual care in this city;
- b. this bill will put out of business many opticians in the District; and
- c. this bill will work to the detriment of the public.

These objections stem from the fact that the definition of optometry is so broad and all inclusive as to require opticians to obtain an optometric license in order to continue performing services which have traditionally been performed by opticians in the District for generations—in one instance for as many as 111 years. It is true that the bill purports to give opticians certain exemptions, but the limited nature of the exemptions will give optometry in the District a virtual monopoly over the traditional functions of opticians.

For these reasons Acting Chairman Sisk and Congressman Harsha invited us to submit amendments. The following amendments are submitted on behalf of the Guild of Prescription Opticians of America, the Guild of Prescription Opticians of Washington, D.C., the constituent members of these organizations in the District of Columbia, and other opticians similarly situated.

First, we submit an amended Section 9(c) which, if adopted, will adequately exclude the dispensing optician from the application of the Act—thus preserving his traditional function in the District of Columbia. Our proposed amendment follows:

"Section 9(c). This Act shall not apply to any person who as a dispensing optician fills the written prescription of a physician, surgeon or an optometrist, or to any person who fits contact lenses only on the written prescription and at the direction of a physician or surgeon, or to any person who duplicates, repairs, replaces or reproduces previously prepared lenses, eyeglasses, spectacles, or appurtenances thereto, and who does not practice or profess the practice of optometry."

Second, we endorse generally all of the proposed amendments submitted by the Medical Society of the District of Columbia with the following clarifications and/or modifications:

A. Amend the first sentence of Section 2 to read as follows: "Optometry is hereby declared to be a highly skilled mechanical art involving human vision."

B. Amend Section 3(2) as follows: "'practice of optometry' is defined to be the application of optical principles through technical methods and devices in the examinations of the human eye for the purpose of determining visual defects and the adaptation of lenses or prisms for the aid and relief thereof or