

- (4) The District of Columbia Guild of Prescription Opticians
- (5) The Sterling Optical Company

In preparing the draft regulations which accompany this memorandum, the Department of Occupations and Professions was guided by the court decision handed down by Judge Harold H. Greene of the Court of General Sessions, Criminal Division, on May 9, 1966, in the case of Norman Fields, an optician charged with engaging in the practice of optometry as a result of his actions in connection with the fitting of contact lenses for a reporter of the Washington Daily News. Since it was this decision by Judge Greene which lead to the Commissioners' initial consideration of the question of establishing a licensing program for opticians, it seemed only logical that Judge Greene's decision should serve as the Department's guide in developing a set of draft regulations for consideration by the Board of Commissioners.

Recommendations: The Department of Occupations and Professions recommends the following course of action:

(1) That the Commissioners refer the draft regulations, prepared by the Department, to the Corporation Counsel for review as to legal sufficiency.

(2) That upon completion of such review by the Corporation Counsel, the Commissioners schedule and personally conduct a public hearing on the draft regulations. The Department recommends that the Commissioners personally conduct such public hearing, because the positions of the groups representing optometrists and ophthalmologists appear to be irreconcilable with respect to the fitting of contact lenses by opticians. From the discussion meetings which Department representatives held with these interested groups, it was clear that feelings are extremely strong and positions poles apart with respect to this question. As a result, it was very difficult to sift pure fact from statements motivated by economic self-interest which were purported to be fact. Therefore, since it is the Commissioners who must eventually decide this highly-controversial issue, it seems advisable that they should personally conduct the public hearing on the draft regulations.

(3) That following the public hearing, the Commissioners decide if it is in the public interest to establish a licensing program for opticians practicing in the District of Columbia.

LAWRENCE E. DUVALL,

Director, Department of Occupations and Professions.

(Enclosures.)

Orig. cc: Hon. Walter N. Tobriner, Hon. John B. Duncan, Brig. Gen. Robert E. Mathe, USA, Mr. F. E. Ropshaw, Secretary.)

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DISTRICT OF COLUMBIA REGULATIONS, TITLE 12, OCCUPATIONAL AND PROFESSIONAL LICENSES, CHAPTER 26—OPHTHALMIC DISPENSING

(Government of the District of Columbia, Department of Occupations and Professions, 1145 19th Street, Northwest, Washington, D.C. 20036)

TITLE 12. OCCUPATIONAL AND PROFESSIONAL LICENSES

CHAPTER 26

OPHTHALMIC DISPENSING

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