

authentication of records and papers relating to the licensing and regulation of optometrists.

The proposed section 11 authorizes the Commissioners in their administration of the bill to make inspections, studies, and investigations, to require furnishing of information under oath, and to subpoena documents.

The proposed section 12 authorizes the Commissioners to seek injunctions against violations of the bill.

The proposed section 13(a) provides for the prosecution of violations, while the proposed section 13(b) declares that only a single prohibited act may constitute a violation, rather than a general course of conduct.

In H.R. 732, a proposed section 13(c) declares that testimony of an optometrist shall be received at any trial or hearing in the courts of the District as qualified expert evidence, and certificates of optometrists are to be accepted by courts and by District Government officers and employees as qualified evidence in respect to the practice of optometry. The Commissioners question the advisability of affording to optometrists, by legislation, the status of expert witnesses in court proceedings, a status which, in the case of all other occupations and professions, must be established by competent evidence, qualifying a witness as an expert.

The proposed section 14 in H.R. 732 prohibits officers and employees of the District Government from "depriv(ing) any person of his freedom of choice of practitioner with respect to his visual problems" and in H.R. 595 and H.R. 1283, from "depriv(ing) any person of his right to exercise his freedom of choice of an optometrist or a physician". This provision of the bill is intended to prevent school nurses from advising the parents of children with eye problems to seek medical treatment for them. The Commissioners strongly oppose a statutory provision which prohibits any person, including District personnel, from advising anyone to seek medical care.

The proposed section 15 in H.R. 595 and H.R. 1283 (15(1) in H.R. 732) authorizes the Commissioners to delegate their functions under the bill to the Board of Optometry or to any other agency of the District Government.

Section 2 of H.R. 595 and H.R. 1283 (incorrectly designated as a proposed section 15(2) in H.R. 732) continues existing licenses in effect.

Section 3 of H.R. 595 and H.R. 1283 (incorrectly designated as a proposed section 15(3) in H.R. 732) amends section 11-742 of the District of Columbia Code, relating to the exclusive jurisdiction of the District of Columbia Court of Appeals to review the orders and decisions of certain administrative agencies of the District, so as to extend its jurisdiction to the review of optometry license cases.

Section 4 of H.R. 595 and H.R. 1283 (incorrectly designated as a proposed section 15(4) in H.R. 732) makes the legislation effective on the ninetieth day after the date of its enactment.

The Commissioners have discussed the merits of the bills with representatives of the Guild of Prescription Opticians and with representatives of the Medical Society of the District of Columbia. Both groups, for reasons which appear sound to the Commissioners, expressed the strongest opposition to the enactment of any of the bills.

In the above analysis, the Commissioners have indicated their concern respecting provisions of the bills which they anticipate will have an adverse effect on the mechanics of providing adequate and convenient eye care for the members of the general public. Accordingly, the Commissioners recommend that none of these bills be enacted, not only because of the Commissioners' support of their proposed District of Columbia Licensing Procedures Act, as they have stated in their report, but also because the Commissioners have been made aware of no compelling reasons for enactment of this legislation. No reasons have been submitted to the Commissioners to justify the curtailment of the number of long established practices of opticians, District employees, and others in the District of Columbia which would result from the passage of this legislation. Therefore, the Commissioners reiterate their recommendation that none of these bills be enacted.

Proposed Amendments to H.R. 595, H.R. 732 and H.R. 1283, bills "To amend the Act of May 28, 1924, to revise existing law relating to the examination, licensure, registration and regulation of optometrists and the practice of optometry in the District of Columbia and for other purposes."

1. Section 2, strike "profession" and insert, in lieu thereof, "mechanical art involving human vision".

2. Section 3(2), amend definition of "practice of optometry" to read as follows: "(2) 'practice of optometry' means the application of optical principles through technical methods and devices in the examination of the human eye for the pur-