

Senate Finance Health & Medicaid Subcommittee
Substitute House Bill 49-Smith-Budget Bill
Opponent Testimony-State Vision Professionals Board
May 17, 2017

Senator Hackett, Vice-Chairwoman Tavares and members of the Senate Finance Health & Medicaid Subcommittee, my name is Mary Nyitray. I am here to testify in opposition to a provision in the budget bill, Substitute House Bill 49, which abolishes the Ohio Optical Dispensers Board and replaces it with a State Vision Professionals Board controlled by optometrists.

I have been a licensed optician in Ohio since 1980. I am the owner of Optical Arts, Inc., in Toledo, which is an award winning independent optical boutique with a large loyal and enthusiastic client base. I am also a board member of the Opticians Association of Ohio.

I actually worked in the 1970's on the Ohio bill requiring licensure of opticians. I had been working with my father in the optical industry and witnessed first-hand the importance of possessing a sound base of optical knowledge. Positive patient outcomes were best achieved by trained, educated and competent individuals dispensing eyewear prescriptions. I am proud to be a female business owner and a licensed optician who is part of a growing and evolving health care system providing needed eye-care services to Ohioans. However, creation of the State Vision Professionals Board in the budget threatens my livelihood, creates an anti-business environment and could actually hinder protection of the public.

The budget bill proposes to abolish the Ohio Optical Dispensers Board and the State Board of Optometry and merge regulation of opticians and optometrists into a newly created State Vision Professionals Board. The Board would consist of 4 optometrists, 2 opticians and 1 public member.

This is alarming for many reasons. First, there is no reason to abolish existing Boards that are solely funded by licensure dues. The Ohio Optical Dispensers Board is efficient and the current licensure fees of opticians are low and competitive with other states. The Board does a stellar job of licensing and registering over 5,000 opticians with only three staff persons. Second, giving control of the practice of opticians to a majority of optometrists will negatively impact business as opticians practice in settings that frequently compete with optometry practices in the dispensing and sales of optical aids. Despite what you may think, opticians do not work exclusively for optometrists. They may own their own business, such as I do, they may practice in an ophthalmology office, they may work in optometry offices and they may work with direct optometry competitors such as Sears Optical, Pearle Vision or LensCrafters. To grant optometry control over the interpretation of

opticianry scope of practice will impact your independent optical businesses and the large retail competitors of optometrists.

Even the National Association for Optometrists and Opticians, the national trade organization representing the retail optical industry, has come out against this new Vision Board for its anti-competitive impact on business. The NAOO has stated, ***“Unfortunately, over the history of the relationship between optometry and opticianry in the various states, turf battles have erupted with one frequently trying to control the other and with attempts to make various common practices exclusive to one type of practitioner or another. All of this has been harmful to competition, business development in the industry and, because of resulting administrative actions or litigation, has cost states, consumers and optical and optometry businesses money. “***

There is no justifiable reason to eliminate the Optical Dispensers Board and give regulatory control of opticians to optometrists. This provision jeopardizes the business I have painstakingly built over the last 40 years as I will be at the mercy of competing optometrists who will interpret my practice.

I respectfully ask that you remove the State Vision Professionals Board from the budget bill, and restore the Ohio Optical Dispensers Board. Please allow opticians to continue to choose where and how they want to practice within the confines of the law instead of turning over their practice regulation to their optometric competitors.

Thank you for your consideration.