

**Substitute House Bill 49**  
**Testimony of the National Association of Optometrists and Opticians**  
**Joseph B. Neville, Executive Director**  
**May 24, 2017**

Chairman Hackett, Vice Chair Tavares and members of the Senate Finance–Health & Medicaid Subcommittee, thank you for the opportunity to appear before you and testify in opposition to the proposal to eliminate both the Ohio Optical Dispensers Board and the Ohio State Board of Optometrists and combine their operations into a single Vision Professionals Board.

The NAOO is a national trade organization representing the retail optical industry. NAOO is consumer-service oriented, and dedicated to the proposition that the consumer's visual care needs are met most completely and economically by the free market, in the tradition of the American business system. NAOO membership in Ohio consists of many large and mid-sized optical firms that are both national and local. NAOO members operate hundreds of optical stores throughout Ohio, and employ more than half of all Ohio licensed opticians. Our members have leasing and franchise arrangements with hundreds of licensed optometrists in the state.

The NAOO strongly urges you to oppose the proposed consolidation changes in HB 49 as passed by the House, which will be detrimental to Ohio opticians, optical companies, optometrists and consumers without conferring any benefit to the public health or safety, or providing significant savings to Ohio taxpayers. We respectfully urge that you remove the proposal to consolidate the optometry and opticianry boards into a single Vision Professionals Board from the Budget Bill and to resist all suggestions that the opticianry board be dissolved and its functions folded into optometry board.

Optometrists, opticians and optical companies that employ opticians are direct competitors in the marketplace for the sale of prescription optical products. Under Ohio law, independent opticians who dispense prescription optical products like eyeglasses and contact lenses must be licensed by the Ohio Optical Dispensers Board. Similarly, optical companies must hire licensed opticians to perform all optical dispensing functions. By contrast, licensed optometrists are not required to utilize licensed opticians or any other licensed personnel to perform optical dispensing functions in their practice.

By eliminating the Optical Dispensers Board and consolidating its functions under the newly proposed Vision Professionals Board, which under the House-passed version will be controlled by optometrists, this legislation will vest direct competitors with regulatory authority and control over the supply and activities of licensed opticians, and provide de-facto control over the business of independent opticians and optical companies. Perhaps not surprisingly, over the history of the competitive relationship between optometry and opticianry in the various states, disagreements have arisen between these professions. These are often about the scope of

practice for each profession connected to fitting and dispensing eye wear and the related sale of prescription eye wear products. These “turf battles” are sometimes couched in terms of consumer protection but with little or no evidence of how and where consumers need protecting.

The more common dispute arises from an effort by one of the professions to limit the other’s ability to compete in the sale of eye wear, either directly or by imposing costs on one of the professions not imposed on the other. Typically, there is an attempt by one profession to make what had been a common practice exclusive to itself, thereby blocking or restricting competition by the other.

When this occurs, it is always harmful to competition, business development in the industry and, because of resulting administrative actions or litigation, can cost states, consumers and optical and optometry businesses money.

Optometry and opticianry are two professions, that can and have functioned well as competitors in the sale of prescription eye wear. Where opticianry is licensed, it has its own independent board. There is no good reason for departing from this approach in Ohio.

In conclusion, the proposal to consolidate the optometry and opticianry boards should be abandoned as it creates no savings or improved health care for the state or its citizens and will result in increased conflict between the two professions. We are happy to work with the legislature to find other efficiencies to balance the costs and benefits of regulation where it is needed.

Thank you once again for providing the opportunity for NAOO to express our opposition to the vision professions consolidation aspect of this proposed legislation.

Joseph B. Neville  
Executive Director, NAOO  
PO Box 498472, Cincinnati, OH 45249  
513-607-5153  
joebneville@gmail.com