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Senate Workforce and Higher Education Committee
Substitute House Bill 509
November 30, 2022
Keith Kerns, Executive Director
Ohio Optometric Association
Interested Party

Chairman Johnson, Vice Chairman Cirino, Ranking Member Martin and members of the Senate Workforce and Higher Education Committee, thank you for the opportunity to provide testimony on Substitute House Bill 509 on behalf of the Ohio Optometric Association (OOA). My name is Keith Kerns and I am the Executive Director of the OOA. The OOA is the professional association for Ohio's Doctors of Optometry and represents 70% of the state's practitioners.

The OOA applauds the committee and bill sponsors' efforts to streamline access to the workforce in Ohio and make the regulatory system more user-friendly for licensees. A recent survey of our profession revealed that the average optometrist employs nearly five staff members, meaning an estimated 10,000 Ohioans work directly in optometric practices. A robust and well-trained workforce is something our members value. Accordingly, we support provisions of the bill to modernize the regulation of optometry by removing reference to the diagnostic and therapeutic certificates. These antiquated credentials are no longer necessary for the profession and their elimination will only impact a handful of practitioners. Additionally, the provisions to move optometrists' license renewal cycle from every year, to every other year will help eliminate unnecessary administrative burdens for our members and the State Vision Professionals Board.

When reviewing these changes, we respectfully request the committee consider a few technical amendments to further simplify the renewal process by moving the continuing education reporting cycle to mirror the license renewal timeframe, and to ensure that all references to the therapeutic certificate are eliminated from the Revised Code. Additionally, we want to ensure that the Vision Professionals Board maintains the necessary resources to efficiently license the profession and protect the public, and do not believe that a change in licensure fees is warranted at this time. Suggested language for these changes are included as an attachment to this testimony.

Finally, the OOA does have concerns with the provisions of the substitute bill which eliminate licensure and regulation for Ohio's opticians and limit the authority of the State Vision Professionals Board to regulate the sale and distribution of prescriptive eyeglasses and contact lenses. Prescriptive eyeglasses and contact lenses are not ordinary commodities. They are specifically designed and prescribed medical devices meant for individual patients based on their specific healthcare needs. These devices take into account a patient's eye size and curvature, lens material, and other individualized factors, making them unique patient-specific items. Similarly, the fitting of these medical devices, especially contact lenses, is



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critically important to a patient's ability to see properly. This process can be challenging and expertise is required from the individual assisting the patient.

Ohio's optometrists employ and work closely with opticians on a regular basis to provide high quality vision care to their patients. The verification of these professionals' education, training and continued safe practice by the State Vision Professionals Board is important for our members who entrust them to assist in the delivery of eye care. Additionally, some opticians work independently of an eye doctor making state oversight even more critical to protect the public. Finally, we are concerned that the changes proposed in Substitute House Bill 509 may jeopardize the vision care safety net as a number of independent opticians are providers of Medicaid services, which requires a state license or credential. Loss of this state credential could limit the number of vision care providers in the Medicaid system.

Thank you for your consideration of these issues and I would be happy to try to answer any questions you may have.



Proposed Amendments to Sub. HB 509

Technical Changes to Continuing Education Reporting and Licensure Fees

Line 7014: delete “annually”

Line 7021: delete “twenty-five” and insert “fifty”

Line 7021: delete “each year” and insert “during”

Line 7022: delete the first “of”

Line 7022: delete “ten” and insert “twenty”

Line 7029: delete “October occurring before” and insert “January when”

Line 7030: delete “September” and insert “December”

Line 7034: delete “September” and insert “December”

Line 7072: delete “November” and insert “February”

Line 7073: delete “even-numbered year” and insert “odd-numbered year following the year that the optometrist’s license expires”

Line 7088: delete “September” and insert “December”

Line 7097: delete “December” and insert “March”

Line 7564: delete “Two hundred” and insert “Three hundred fifty”

Line 7571: delete “Two hundred” and insert “Three hundred fifty”

Temporary Law: Insert language to allow continuing education completed on or after October 1, 2022 to be eligible towards completion of the continuing education requirement during the first renewal period following adoption of this bill.

Other Instances in Revised Code Referencing Therapeutic Optometrist

Delete references to therapeutic certificate and instead reference certificate of licensure in:

4729.01 (I)(4)

4743.09 (A)(3)(b)

5164.95 (C)(1)(p)

Reinstate Optician Licensure and Delete Lines 6671-6695 and 6804-6807