



513-765-6307 Direct Dial
513-492-6307 Facsimile
pphelan@luxotticaretail.com Email

June 11, 2015

The Hon. Scott Oelslager, Chairman
Senate Finance Committee
Statehouse
Columbus, OH. 43215

Re: House Bill 64-Biennial Budget Bill-Pending in Senate Finance- Provision to Abolish the Ohio Optical Dispensers Board and Transfer its Duties to the State Board of Optometry (Sec. 515.80)

Good afternoon Chairman Oelslager, Vice Chairman Coley, Ranking Member Skindell, and members of the Senate Finance Committee. My name is Patrick Phelan and I am the Assistant General Counsel for Luxottica Retail North America. Thank you for the opportunity to testify today in opposition to the proposal to abolish the Ohio Optical Dispensers Board and to transfer its duties to the State Board of Optometry.

Luxottica Retail operates 118 retail optical stores here in Ohio under the LensCrafters, Pearle Vision, Sears Optical and Target Optical brands. Luxottica Retail employs nearly 400 licensed dispensing opticians and apprentice opticians at its Ohio stores, and more than 3200 Ohioans in all. Luxottica Retail's North American operations are headquartered in Mason, Ohio.

The proposal to abolish the Ohio Optical Dispensers Board and to transfer its duties to the State Board of Optometry would be detrimental to Ohio opticians, Ohio optical companies, and Ohio consumers without conferring any benefit to the public health or safety, or providing significant savings to Ohio taxpayers. We respectfully urge that this amendment be removed from the Budget Bill.

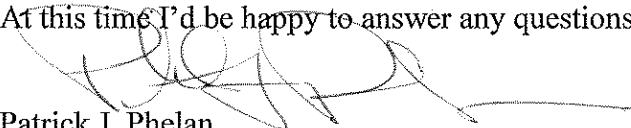
Optometrists, opticians and optical companies that employ opticians are direct competitors in the marketplace for the sale of prescription optical products. Under Ohio law, independent opticians who dispense prescription optical products like eyeglasses and contact lenses must be licensed by the Ohio 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 Board of Optometry, this legislation will vest the Board of Optometry with unilateral regulatory authority over the supply and activities of licensed opticians, and provide de-facto control over the business of independent opticians and optical companies. In recognition of this inherent conflict, no state in the U.S. has vested its optometry licensing board with control over the activities of licensed opticians or optical companies.

This proposed amendment will reduce public access to quality eye care, limit the supply of licensed opticians, increase compliance requirements for optical retailers, and limit competition in the marketplace for optical goods and services. Rural and underserved areas of the state would be particularly impacted by any reduction in accessibility to optician services. This amendment would be a negative public policy change for Ohio, and leave Ohio as the only state where the Board of Optometry regulates its direct competitors.

Thank you once again for providing the opportunity for Luxottica Retail to express our opposition to this this proposed legislation.

At this time I'd be happy to answer any questions you may have.



Patrick J. Phelan
Assistant General Counsel
Luxottica Retail North America Inc.