



**OHIO
OPTOMETRIC
ASSOCIATION**

Substitute House Bill 49
Written Testimony of Keith Kerns
Executive Director of the Ohio Optometric Association
Interested Party
Ohio House Finance Committee
April 28, 2017

On behalf of the Ohio Optometric Association (OOA), which represents nearly 70% of the Doctors of Optometry practicing in Ohio, thank you for the opportunity to provide comments on Substitute House Bill 49. The OOA has identified two primary issues for the profession contained within HB 49 which we would like to address.

First, the OOA applauds members of the committee for recommending the repeal of the sales tax on prescriptive eyewear effective July 1, 2019. The application of sales tax on prescriptive eyewear makes Ohio inconsistent with the vast majority of other states. Most states exempt prescriptive eyewear from sales tax, including our neighboring states of Indiana, West Virginia and Pennsylvania. This factor, combined with the increase in online sales, places Ohio's eyewear retailers at a significant competitive disadvantage in the marketplace. HB 49 will help level the playing field for Ohio-based retailers.

This provision will also bring consistency to Ohio's tax code. Currently, prescriptive eyewear is the only prescription medical product sold in a traditional retail fashion that is subject to state sales tax.

Finally, and most importantly, the repeal of the sales tax on prescriptive eyewear will make a significant difference to Ohio families and residents. Too often economic barriers, such as the imposition of a sales tax, make it less likely that patients obtain the care and medical products they need. And because prescriptive eyewear is an essential item, going without this medical device hinders students' ability to learn, makes it difficult to hold employment and limits our senior population's mobility.

Second, the OOA must comment on the proposed creation of a new Vision Professionals Board as contained within HB 49. As you know, the OOA has vigorously opposed board restructuring efforts for the past few years because the Ohio State Board of Optometry has a stellar track record of protecting the public and regulating the profession. Additionally, it accomplishes these crucial functions professionally and within or under budget. The Board of Optometry should be held out as a model for the provision of quality public services in a cost-effective way.

With that background, Substitute HB 49 does present a better model for board restructuring than the "as introduced" version of the bill by only combining the operations of the Board of Optometry and the Optical Dispensers Board. This new

structure may lead to some efficiencies in the investigative operations of the professions. The new version creates a board comprised of three optometrists, two opticians and two members of the general public. The OOA is opposed to this composition for many reasons, most notably that the make-up of this new board would leave the regulation, licensing and oversight of Doctors of Optometry in the hands of non-doctors.

Optometrists often work well with opticians and we truly appreciate the partnership we have with them. However, the training, education and scope of practice afforded our professions under Ohio law are dramatically different. Doctors of Optometry hold undergraduate degrees in science-related fields, obtain four years of post-graduate education leading to a doctorate degree and then often complete residency programs. The pathway for opticianry is much different and requires a high school or high school equivalent education and a two year on the job apprenticeship or completion of an opticianry training program. The majority of opticians complete an apprenticeship to obtain licensure.

This vast difference in education and training must be recognized on a new licensing board to ensure adequate public protection. Additionally, the new licensing board would have the authority to establish standards for the College of Optometry at the Ohio State University. As you know, the OSU College of Optometry is widely regarded as the finest school in the country. A new board made up of a majority of non-optometrists would not be in the best interest of the mission and operation of this valuable institution.

However, the OOA was recently made aware of the opportunity to address these areas of concern with a slight alteration to the composition of the proposed Vision Professionals Board. This alteration would establish a board of four optometrists, two opticians and one member of the general public. While the OOA would prefer the retention of the current State Board of Optometry, a “4 optometrist - 2 optician - 1 public member” structure would be acceptable to the OOA if the General Assembly and the Governor choose to move forward with board restructuring. Any language that would change this 4-2-1 composition would cause the OOA and Ohio’s doctors of optometry to vigorously oppose the restructuring proposal.

The OOA and our members appreciate the opportunity to work with members of the House Finance Committee and the General Assembly on issues of importance to Ohioans. Thank you for your consideration of these crucially important issues for our members and their patients. As always, please feel free to contact me at kkerns@ooa.org or (614) 781-0708 if you have any questions regarding these matters.