



**OHIO
OPTOMETRIC
ASSOCIATION**

Amended Substitute House Bill 49
Written Testimony of Keith Kerns
Executive Director of the Ohio Optometric Association
Interested Party
Ohio Senate Finance Committee
June 13, 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 Amended Substitute House Bill 49. The OOA has identified two primary issues for the profession contained within HB 49 which we would like to address and thank the Ohio Senate for inclusion in the state budget.

First, the OOA applauds the Senate for maintaining the inclusion of a 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.

Under ideal circumstances, the Board of Optometry would remain a stand-alone agency to regulate the profession. However, the current version of Amended Substitute HB 49

does present a better model for board restructuring than the “as introduced” version of the bill. This version combines the operations of the Board of Optometry with the Optical Dispensers Board and rightly retains a working majority of doctors of optometry, the experts in the field, on the board to have responsibility for the regulation and oversight of the profession and the College of Optometry at the Ohio State University. The language in the current version being considered by the Senate is identical to that passed by the House of Representatives.

Optometrists 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. This training and education establishes a wide scope of practice which includes the ability to prescribe controlled substances. 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 any new licensing board to ensure adequate public protection.

We are aware of only two other states (Oregon and California) which house optometrists and opticians together in a single regulatory environment. In Oregon, this board is comprised of 5 members including 4 Optometrists, 1 public member and 0 Opticians. The California board maintains 5 Optometrists, 5 public members and 1 optician.

One issue with the Vision Professionals Board proposal does deserve additional review and action by the Committee. The current version of HB 49 allows the new board to establish committees to address specific issues related to the regulated professions. The OOA and the Ohio Ophthalmological Society have jointly agreed to language that would use this committee structure as a vehicle to allow ophthalmologists to have input on issues concerning the practice of opticianry. The Ohio Optical Dispensers Board currently has one ophthalmologist as a member to provide input on these issues and our organizations have worked collaboratively to ensure that this input will continue within the committee structure.

The OOA appreciates the opportunity to work with members of 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.