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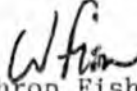
HB 664

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- (2) That the general level of training of the practicing optometrist in Alaska at present is at a standard which will preclude frequent mis-diagnosis, delay, duplication of expense and inappropriate trials of corrective lenses for non-refractive disorders of the eye.
- (3) That the use of ophthalmologic drugs in the practice of optometry is free of risk.
- (4) That the expanded drug use is necessary and essential to increased accuracy in refractive error diagnosis.

We feel the answers to the above are not obvious, we see no urgency to enact the legislation without the most careful study of the implications and therefore urge that you allow ample time for its consideration.

Sincerely,


Winthrop Fish, M.D.
Chairman, Legislative Committee

WF:mlm
cc. ASMA Council
ASMA Legislative Committee

REFERENCES

1. Ball, R., "Should we be first class O.D.'s or second class M.D.'s," Optometric Weekly, volume 67, page 874 through 895, 1976.

Optometric Weekly, April 3rd, 1976, James C. Miller, O.D., Nappanee, Indiana, "(I) think optometry has too many quasi-physicians now! If these optometrists want to be physicians, they should have gone to medical school...if we believe the end result will be to our benefit or to the benefit of the public, we are inane."

In Optometric Weekly, April 3rd, 1976, under a column headed "Vox Oculi," over half the optometrists writing in agreed that they could never appreciate the difficulty and intensiveness involved in treating eye disease until he or she is educated to a point of being able to handle it on a daily basis. "There is no present need for the move and the necessary education is not available for optometry to attempt to secure drug utilization." Richard Ball, American Optometric Association, Interprofessional Relationships Committee.

September 15, 1976, American Optometric Association News, James A. Rakes, optometric resident, V.A. Hospital, Lexington, Kentucky. "The day will come when optometrists can treat disease with the approval of ophthalmology, but they will have to earn it through the same hard work that ophthalmology residents must go through. There is no shortcut to therapeutics."

Optometrist, Philip C. Lafrance, Laconia Eye Clinic, Laconia, New Hampshire, "Optometrists, in their many years of training, are not adequately trained to correctly define an eye disease."

2. Dean Henry B. Peters of the University of Alabama School of Optometry writing in the Journal of the American Optometric Association, June, 1977, said, "not one of our schools is prepared by either faculty resources or available clinical experiences to accept this challenge (of preparing optometrists to treat eye disease) at the present time." "Optometric educational institutions have serious responsibilities within the present practice of optometry and precious few resources to carry them out...the resources necessary to adequately prepare students and practitioners to treat eye disease are simply not available." "It is going to be difficult or impossible...to provide the educational requirements for the expansion of optometry into the area of treatment of ocular disease."

Meredith W. Morgan, O.D., Dean emeritus of the School of Optometry of the University of California at Berkeley, "As far as I know, there is not a school with the curriculum adequately designed to educate students in pharmaceutical therapy and there is not a school with adequate resources to establish such a curriculum."

3. New York Federation of Women's Clubs, Inc., April 30, 1976, a drug bill in New York State. They took a public stand against the passage of this bill. The New York State AFL/CIO, a nonmedical union, advised its constituency that "optometry is not a medical profession and optometrists are not engaged in medical practice. Optometry is confined to a limited area of the measurement for and fitting of eye glasses that traditionally is outside medicine." Please find included copies of several editorials from leading newspapers throughout the country.

4. Five optometrists who furthered their education by going to medical school and became M.D.'s (ophthalmologists) have testified as follows: "Although we had courses in anatomy, physiology, histology, and many other scientific disciplines, including some courses about drugs, our training was superficial compared to medical school training. Furthermore, it was directed with an entirely different perspective in mind, that of examining the eye for vision defects and correction thereof." The five M.D.'s who thus spoke out in unison are Charles Denton, O.D., M.D.; Roger DeShaies, O.D., M.D.; Roger L. Hiatt, O.D., M.D.; Marshall Johnson, O.D., M.D.; and William Roberts, O.D., M.D.

American Optometric Association News, September 15, 1976, James A. Rakes, O.D., an optometric resident at the V.A. Hospital in Lexington, Kentucky, "An optometrist will never appreciate the difficulty and intensiveness of educating the ophthalmology resident until he sees it on a daily basis." He also noted that the experience that he was having had "opened his eyes to the inadequacy of the average optometry student's background in pharmacology and pathology."

Tallahassee Democrat

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4—Sat., Feb 7, 1976

As our editors see it

Safeguards are needed in eye care business

There is some professional dissent pervading the eye care business.

Dictionary definitions list an optometrist as a practitioner who measures vision and corrects visual defects without the use of drugs or surgery. Florida law, however, puts no prohibition on the profession of optometry. The law defines optometric services "to be the diagnosis of the human eye and its appendages and...determining the refractive powers of the human eyes, or any visual, muscular, neurological or anatomic anomalies ... and the employment of lenses, prisms... and any other means or methods for the correction, remedy or relief of any insufficiencies or abnormal conditions of the human eyes."

This is pretty powerful stuff. Optometry which is a measuring science now sounds like a medical science.

Ophthalmologists as medical doctors specializing in the treatment of disease or defects in the eye are understandably concerned over the license given the optometrists by Florida law. They maintain that to "diagnose" the human eye and employ "any means" to correct abnormal conditions is not within the realm of optometry.

They're right. Optometrists serve a need

in the community for the measuring of visual inaccuracies and the prescription of corrective glasses. Their training does not include enough pharmacology to safely prescribe drugs, nor enough anatomy to accurately diagnose disease.

Most optometrists are practicing within the logical limits of their profession. They do not attempt to treat diseases of the eye nor prescribe drugs for improvement of eye conditions.

But the potential for jeopardizing health standards is there. The law should be made more specific.

Thus far the legislators have declared that the "professions" should fight it out by themselves. Legislators have also claimed that this isn't their battle, that legislating a more precise definition does not fall within their jurisdiction.

What they neglect to mention is that the state has police powers that may be invoked to provide for the health and safety of its inhabitants. Defining the limits to the profession of optometry will not reduce the effectiveness of optometrists. It will safeguard the profession from the potentially irresponsible actions of a few and promote accurate and effective health care of the many.

Define professional limits

By COLLINS CONNER

Democrat Staff Writer

When you're sick, do you go to a doctor? More to the point, when you go to a doctor, do you go to a doctor?

The health care field is growing by leaps and bounds. Most of us are confused and disoriented enough trying to weave our way through the physician specialties. What adds to the confusion are other categories of health providers that seem to straddle the fence between medical doctors and other health professions.

Like podiatrists, who aren't M.D.s but do provide physician services for problems with the feet. Or naturopaths, or osteopaths or chiropractors. None of these are medical doctors, but all provide health care.

They are all allowed to use drugs in their courses of treatment. And under the list of which professionals are allowed to dispense and prescribe their drugs through the services of a pharmacist, they are all included as "practitioners."

★ ★ ★

WHETHER OR not the public understands the intricate limits to the practices of these health providers, the providers themselves do. And so too do other professionals whose duties intermingle with these providers.

That isn't the case with optometrists. Not only is the public sometimes confused about the limits to optometry, but other professionals, such as the pharmacists, and even the optometrists themselves interpret those limits in varying ways.

According to the state statute defining an "optometrist," he is able to use any means to examine, diagnose and treat impairments to or disease of the eye.

The optometrists asked the Florida Attorney General's office if that

CONNER
... Seeking
drug use



statute gave them the right to use drugs in their diagnosis and treatment.

And the Attorney General's office replied, "well, the statute doesn't exclude that possibility."

Enter confusion.

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A SOUTH Florida druggist had a prescription telephoned to his store by an optometrist. The druggist informed the optometrist that under the statute governing pharmacists, he was not allowed to fill that prescription.

The optometrist said all that had changed. After all, the Attorney General said it wasn't forbidden for the optometrists to prescribe drugs.

So the pharmacist filled the prescription. And in doing so, according to the Florida Board of Pharmacy, the druggist put himself in a precarious position.

Stuck in the middle, the pharmacist's board must make a compromise between a statute that says optometrists can prescribe drugs and a statute that says pharmacists can't fill their prescriptions.

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THE PHARMACISTS are advised to supply the optometrist with medicines he wishes to use for diagnostic purposes, but not to fill pre-

scriptions for medicines needed for treatment of eye problems.

It's as though the druggists must say, "I can give him medicine in general which he may use as he pleases, but if I fill his patient's prescriptions, it will indicate that I am cooperating in the treatment of a patient which will reflect on my liability."

The debate, for the most part, is way past the comprehension and interest of the average citizen. That's the whole point in having the Legislature define professional limits — to safeguard the interests of an unknowing population.

In this case, the Legislature hasn't considered the safety of the public. It hasn't even considered the risks to the professionals involved.

From stupid statutes mighty anafus grow.

Ruidoso News
Ruidoso, N. M.
December 9, 1976

Stuph & Junk

... by

Cale Dickey



YOUR EYES AT STAKE

New Mexico's ophthalmologists are ranked at optometrists ... 'cause optometrists are pushing for rights to administer drugs in the treatment of eye disorders ... which is roughly akin to taking a horse suffering from colic to a farrier for treatment.

Simply stated an optometrist is trained to examine your eyes for defects, to prescribe corrective lenses and to suggest exercise therapy.

An ophthalmologist is a medical doctor ... that's M.D. ... who took additional schooling to specialize in eye disorders and their treatment ... and there are the delicate eye operations performed by ophthalmologists ... and while a farrier might correct a limp in a horse, an optometrist isn't licensed to practice medicine, because optometrists don't receive a degree as a medical doctor with their degree in optometry that lets them refer to themselves as "doctor".

A good optometrist is a credit to himself his community and his clientele ... he does his thing by fitting you with glasses so that you can see well ... for this service he receives an adequate stipend ... he's happy ... and you have good fitting glasses ... but because a good automobile mechanic can keep your car running smoothly doesn't mean he can fix your clock. And even the best glass eye doesn't do a thing for your peripheral vision.



One Man's Opinion

by
William C. Crane.

Eyes Are Important

An amendment to Code Section 84-1101 is being proposed in the General Assembly. This amendment pertains to you and your eyes, and should be of paramount importance to you the public.

Basically it would allow an optometrist to use pharmaceutical agents for diagnostic purposes if the optometrist has received pharmacological training and accreditation from an accredited institution of higher learning and certification by the Georgia State Board of Examiners in Optometry.

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IT WOULD seem that as written the bill is too vague as to requirements and drugs allowed.

Remember your eyes are your most valuable asset other than your life.

How wonderful to see a blue bird, a sunny spring morning, Jonquils blooming in the twilight, a beautiful girl running down the street, a group of boys playing soccer. The rainbow after the rain, the mountain valleys and lakes, the ocean at sunrise or sunset. Nothing can surpass the sheer beauty that the eyes convey to your brain.

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THIS WRITER believes in seeing an optometrist for prescription glasses and an ophthalmologist for eye trouble involving the use of drugs or surgery. For your information the following description and training of each profession is printed for your guidance and if after reading this you believe that further thought should be given to passage of this bill, then call your senators and representatives and voice your thoughts.

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"AN OPHTHALMOLOGIST is a primary care physician qualified to provide comprehensive diagnostic eye examinations for both systemic and ocular diseases and the initiation of medical treatment including the prescribing of indicated medication and lenses. He is educated, trained and licensed as a Doctor of Medicine (or Osteopathy) and is the portal of entry for the public into medical care systems. His education usually includes four years of college, plus four years of medical school, one year of internship and 3-4 years of ophthalmology residency, for a total of 12-3 years of 'basic training'.

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"AN OPTOMETRIST is a limited practitioner, whose formal education (two years pre-optometry college classroom required study, plus a four-year college curriculum in optometry) limits him to testing for vision problems unrelated to disease. Optometrists test depth and color perception and the ability to focus and coordinate the eyes. When necessary, they prescribe and fit lenses. Some are taking additional classroom training in an effort to expand their services into the practice of medicine. Ocular pharmacologists who are M.D.'s testify that classroom training is inadequate, and that this trend is a public health hazard.

(Views expressed by our columnists do not necessarily reflect the editorial opinion of the DeKalb News/Sun.)

NEW MEXICAN **Opinion**

Santa Fe, N.M., Wed., Feb. 2, 1977

Defeat eye bill

The Senate Public Affairs Committee is scheduled to hear a controversial bill proposed by the state's optometrists which would establish a dangerous precedent in providing eye care.

The measure, Senate Bill 123 introduced by State Sen. Ray Leger, a Las Vegas Democrat, would permit the state's optometrists to prescribe eye treatment drugs.

The bill is being advanced as a consumer oriented proposal which would reduce the cost of care and make more care available throughout the state. National optometrists organizations have launched a nation wide push for such measures which have been successful in some states.

The state's ophthalmologists—licensed medical doctors—bitterly oppose the bill. They argue that an optometrist, who is not a medical school graduate and who does not have medical training, should not be permitted to prescribe drugs—in some cases dangerous drugs which can have harmful side effects.

Optometrists counter by saving

that they have already received or will receive more than 70 hours of training from optometry schools in the use of these drugs.

In our opinion, it is impossible to compare 70 hours of training from an optometry school to the four years of medical school, one year of internship, and three to four years of ophthalmology residency which each ophthalmologist must undergo before he can be licensed.

Permitting optometrists to prescribe drugs would build in a false sense of security for many patients which may cause them to ignore or overlook serious problems.

In literature it has been said that the eyes are the windows to the soul. In medicine the eyes are an important window and indicator to how the rest of the body is functioning.

If there is something wrong with a patient's eyes that requires the use prescription medicines, it should be a doctor looking into those eyes, not an optometrist.

The legislature has the responsibility to protect the public's health and safety by defeating this measure.

NEW MEXICAN **Opinion**

Santa Fe, N. M., Mon., Feb. 7, 1977

Limit eye drugs

Should the New Mexico Legislature enact a vague law which permits optometrists to use certain drugs for diagnostic purposes even though some of those drugs can cause harmful side reactions?

That is the basic problem facing the House of Representatives now that the Senate has passed a controversial bill backed by the state's optometrists.

Last week a New Mexican editorial opposed this bill on the grounds that optometrists should not be allowed to treat eye patients with prescription drugs.

This brought out a flock of optometrists protesting that they were not seeking the use of prescription drugs to treat eyes, but were merely asking for the right to use a limited number of drugs for diagnoses.

The version of the bill which passed the Senate last week, was amended to limit optometrists to using these drugs for diagnostic work. Even now there is still debate between optometrists and ophthalmologists and their lawyers over what the bill does nor does not permit or the original bill did or did not permit.

Optometrists say they need to use these drugs, for which they have received special training, to dilate eyes and perform more accurate, complete eye examinations. There are 17 states which permit optometrists to use these diagnostic drugs.

New Mexico's optometrists contend the state's prohibition imposes a financial hardship on state residents seeking adequate eye care.

Ophthalmologists counter that the optometrists refuse to be specific on exactly what type of drugs they want to use. Even optometrists admit that some of the diagnostic drugs involved can cause harmful side reactions in some people, although both groups say reactions are rare.

Ophthalmologists, who are trained medical doctors, contend that optometrists, who do not have medical training, are not fully prepared to handle these reactions including possible heart and respiratory problems and convulsions.

There is no specific limitations on the drugs which can be used, although optometrists say they do not intend to use all drugs which fall under the category "ocular diagnostic pharmaceutical agents." The final Senate version of this bill is too vague. It should be as specific as possible about what drugs and under what conditions optometrists should be permitted to use.

We repeat our original concern, that some of these drugs can be dangerous, if used on the wrong patient, in the wrong concentrations and under the wrong circumstances. To protect the public's health the legislature has a responsibility to be as specific as possible.

independent thinking

Efficient?

The crack management team that recently gave the City of St. Petersburg such a fine racing for administration

EVENING INDEPENDENT



Opinion

16-A

Tuesday, June 15, 1976

We hope... and that of every other... taking privileges — got the... message.

Clear Case

Their position may not be visionary, but Florida ophthalmologists have made it clear: "Diagnosis" of medical eye problems and use of "any means" of treatment are properly the duties of well-trained medical men — not just optometrists.

And most optometrists don't dispute that.

But a few apparently are prescribing drugs for patient eye problems, when chiefly optometrists are to measure vision and correct defects without drugs or surgery.

The Florida law, it turns out, allows optometrists to use "any means" in "diagnosis." Obviously, a further clarification of that statute is in order.

At least, that's how we see it.

Orlando Sentinel Star
Orlando, Florida
June 19, 1976

Evening Independent
St. Petersburg, Florida
June 15, 1976

Sentinel Star
Orlando, Florida

Florida

14A

Sat. June 19
1976

EDITORIAL

Limit Prescription Drug Use

THE FLORIDA Society of Ophthalmology is petitioning the legislature to prohibit optometrists from prescribing drugs in its treatment of eye ailments. Favorable legislative action would nullify a recent decision by the Florida State Board of Optometry allowing use of drugs for diagnosis and treatment of disease by optometrists.

The ophthalmologists' petition should receive legislative priority.

We have nothing against the optometric practice of prescribing glasses to correct vision if the affliction is not caused by eye disease. Indeed, one editor doesn't mind a d m i t t i n g she

chooses her own reading glasses at McCrory's spectacle counter.

But permanently impaired vision and even blindness can result from drugs prescribed by an unqualified practitioner, and optometrists, whose training is limited to fitting corrective lenses by mechanical means, do not qualify as physicians.

Ophthalmologists, on the other hand, are medical school graduates who have served internships and residencies and have specialized in the treatment of eye disease.

In the interest of public health, prescription drugs should be dispensed at the discretion of physicians only.

Wednesday, November 24, 1976

Albuquerque Journal
Albuquerque, New Mexico
November 24, 1976

Fences Work Two Ways

The pending legislative confrontation between the medical doctors in the New Mexico Medical Society and the optometrist-members of the New Mexico Optometrical Assn. has the earmarks of a showdown between two professional closed-shop monopolies.

But this time we're inclined to side with the Medical Society and its members, primarily because of the health-and-safety risk involved in placing diagnostic drugs in the hands of those not trained in the care of the entire human body and all its parts.

But poetic justice suggests that the optometrists, in their efforts to trespass on the precincts of another privileged sanctuary, should be governed by the same rules with which they have protected their own. No long memory is required to bring back the days when the optometrists enjoyed free rein in New Mexico's legislative halls, even to the point of infiltrating the legislature and, for brief spans, virtually controlling it.

In those days the optometrists were able to impose rules making it a crime for a pharmacist, a jeweler or any other non-optometrist to even look at a pair of eyeglasses. Worse still, they succeeded in imposing and enforcing a muzzle on the free press, prohibiting newspapers and broadcasters in the state's border cities from publishing price-oriented advertisements from optometrists in adjoining states.

The optometrists have worked hard at perfecting the pattern of the professional sanctuary. It would seem only equitable now that they should live within that pattern.

JIM BISHOP, NATIONALLY
SYNDICATED COLUMNIST,
APPEARING IN OVER 200
NEWSPAPERS, TOTAL
CIRCULATION EXCEEDS
20 MILLION



Jim Bishop

Our Eyes: Only Two For Each Customer

Glaucoma, whether chronic or acute, is treatable. It cannot be cured. The world of medicine has reached a stage where it can stop the threat of blindness in its tracks. It cannot restore sight; merely stop it at whatever level it has attained when treatment begins.

MOST OF US are fairly faithful in having an annual examination. Our brains are imprisoned in fragile structures called the body. Our doctors examine the parts and give us counsel about weight, blood pressure, heart, lungs, kidney function, many things.

He merely peeks into each eye to see if the blood vessels are engorged. He gives it as much attention as his peek into your ears.

An optometrist can prescribe proper glasses. An optician will grind them and fit them. Only the ophthalmologist is qualified to look inside your eyes, study the optic nerves and tell you that your windows on the world are in reasonably good health.

Eyes are rationed. Only two to a customer.

OPHTHALMOLOGIST

WILLIAM F KINN, M.D.
BRUCE J WOLF, M.D.
SAMUEL A McCONKEY, M.D.

OTOLARYNGOLOGIST

RONALD E TINSLEY, M.D.
RICHARD P RAUGUST, M.D.
BRUCE G WHIPPLE, M.D.

PLASTIC AND RECONSTRUCTIVE SURGEON

WILLIAM W WENNEN, M.D.



February 7, 1978

Mr. Charlie Parr
Chairman
Health, Education and Social
Services Committee
Alaska State House of Representatives
Alaska State Capitol
Room 112
Juneau, Alaska 99811

Dear Mr. Parr:

On behalf of the physicians in the State of Alaska who are concerned with eye care, I would like to again thank you for giving me some time out of your obviously quite heavy schedule in order that I might become better acquainted with House Bill 664, an act relating to optometry. I was able to see several members of your committee on my recent visit to Juneau and hopefully will have an opportunity to introduce myself to the remainder when I get to Juneau in the future. I plan this to be the first of several background papers that you and your committee might wish to consider in your deliberations on House Bill 664.

I think it is appropriate that I give you some background into my education and status within the ophthalmologic community in Alaska. I received an undergraduate degree in premedicine at West Virginia University in Morgantown, West Virginia in 1962. I had my medical school training at the Medical College of Virginia, graduating with a degree of Doctor of Medicine in 1966. I served a year of surgical internship and a year or surgical residency at the same institution, completing that course of study in 1968. In October of 1968, I was inducted into the armed forces as a surgeon with the United States Air Force, stationed at Eielson Air Force Base near Fairbanks, Alaska. Following a 30 month tour of duty, I was in the private practice of general medicine in Fairbanks, Alaska for one year. In 1972, I became associated with the Medical University of South Carolina in an ophthalmology residency program, completing that course of study in June of 1975. From January until March of 1975, I was also a teaching fellow in ophthalmology, concerned with the education of medical students at the Medical University of South Carolina. In July of 1975, I returned to Fairbanks, Alaska and have been in the private practice of ophthalmology with the Eye, Ear, Nose and Throat Clinic since that time. I am a Diplomat of the American Board of Ophthalmology. This accrediting board was the first medical specialty board established in America at a time when optometry was in its infancy and long before licensing boards for optometry existed. The privilege to practice my specialty is the culmination of 13 years of post high school education. This is in contrast to the average six to eight years spent by optometrists in post high school education today and is in greater contrast to the four years or less post high school education of approximately 50% of all optometrists presently practicing in the United States.

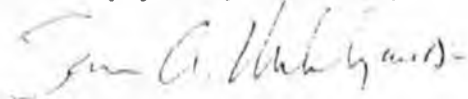
WHAT OTHER STATES HAVE DONE

House Bill 664 is a continuation of a nationwide move on the part of organized optometry to be legislated into the practice of medicine. Since 1971 until 1977, nine states had passed similar laws. In 1977, as of August the 25th, 14 states had denied the use of drugs to 8,275 optometrists. There were five states that passed drug related optometric bills. Four of these states, namely Montana, Wyoming, New Mexico, and Kansas, are certainly in the category of rural states and indicates that the major direction of optometry toward pressing this legislation today is most certainly in rural areas. The defense against that argument that optometrists can provide their care where no ophthalmologists are available, is as follows: In those communities where no ophthalmologists practice, there are physicians with medical "know-how" to deal with eye problems on an urgent basis and refer them for ophthalmologic care to nearby cities. A colleague of mine, Dr. Charles Bobo, Greenwood, South Carolina, studied the population that presented to a small rural community hospital emergency room over the course of one year from July 1, 1975, to June 30, 1976, and in his independent study, showed that 30% of the patients seen in this emergency room sitting were capably treated by the general practice family type physician and only 20% of those needed to be seen by an eye specialist. This certainly refutes the attempt by ambitious optometrists to make a case for being allowed medical functions in rural areas by claiming that there are too few ophthalmologists. The Eye, Ear, Nose and Throat Clinic in Fairbanks, Alaska, of which I am a partner, has, for years, been carrying out not only ophthalmologic but ear, nose and throat clinics in remote areas and in bush communities for the care and welfare of patients that prefer to live in a rural setting. It might be mentioned that our prices for these clinics are exactly the same as they are in our offices in Fairbanks, Alaska.

Find enclosed a copy of some random court rulings as to what other states have had to say in defining optometry and optometric responsibilities.

I will follow this report with others over the next several days, outlining various other points of interest concerning consumer protection and other pertinent data as may be important in your committee's consideration of this bill.

Sincerely yours, I remain,



Sam A. McConkey, M.D.

SAM:ls

cc: Representatives: M.F. Beirne
Don Bennett
Thelma Buchholdt
C.V. Chatterton
Samuel A. Cotten
Alfred C. Nakak
Al Ose
Randy Phillips

ALABAMA (Supreme Court of Alabama)

"Dilation of the pupil...forbidden by law."

"'Optometry' (from Greek. ***optos, visible, plus, ***metron, measure; literally, eye measurement). The science of measuring the accommodative and refractive powers of the eye without the use of drugs. It is defined in various statutory laws regulating the practice as "the employment of any means, other than the use of drugs, for the measurement of the powers of human vision and the adaptation of lenses for the aid thereof." The practitioner of this art is called an optometrist... While no attempt is made to teach the diagnosis and treatment of eye diseases, dilation of the pupil with drugs is forbidden by law.

"'Optometry,' apart from statutory definition, is defined as the employment of any means other than the use of drugs for the measurement of power of vision and the adaptation of lenses for the aid thereof...the measurement of the range of vision, and does not authorize the diagnosis for treatment of eye disease."

Hampton v. Brackin's Jewelry & Optical Company

DISTRICT OF COLUMBIA (U.S. Court of Appeals of D.C.)

"Empirical rather than learned"

"'Optometry is a mechanical art requiring skill, manual dexterity, and knowledge of use and application of certain mechanical instruments and appliances designed to measure and record errors and deviations from normal which may be found in the human eye, rather than the knowledge and learning appropriate to professions or callings which deal with causes and conduct rather than with conditions and effects, and is in its nature empirical rather than learned.

"'Oculists' and 'ophthalmologists' pursue a calling quite distinct from that of 'optometrists,' having relation to the practice of medicine and surgery in the treatment of diseases of the eye, whereas the calling of 'optometrists' relates to the measurement of the powers of vision and the adaptation of lenses for the aid thereof."

Silver v. Lansburgh & Bro.

"Function...is to measure" (D.C. Code, T. 20, 261-282)

"The District of Columbia statute governing practice of optometry does not contemplate that an optometrist shall be a graduate physician or shall, like an oculist (ophthalmologist), diagnose or treat diseases of the eye, since function of 'optometrists' is to measure the refractive abnormalities of the eye and prescribe, and sometimes grind, the lenses to correct them."

ILLINOIS (Supreme Court of Illinois)

"Other than the use of drugs"

"...'Optometry' to be the employment of any means other than the use of drugs, medicines or surgery for the measurement of the power of vision and adaptation of lenses for the aid thereof, is broad enough to include every measurement of the power of vision and fitting glasses to aid vision."

People v. Griffith

"Measurement of the range of vision"

"'Optometry' means measurement of the range of vision. Also, loosely, measure of other visual powers, hence, scientific examination of the eyes for the purpose of prescribing glasses, etc., to correct defects, without the use of drugs."

Babcock v. Nudelman

MASSACHUSETTS (Supreme Judicial Court of Mass. Suffolk)

"More akin to physical science of optics"

"One who practices optometry exclusively is not commonly to be treated as 'practicing medicine,' 'optometry' in its origin and nature being more akin to physical science of optics than to science of medicine, and its emphasis being upon supplying physical means to aid bodily powers rather than upon cure of disease. 'Ophthalmology' has relation to the practice of medicine and surgery in the treatment of diseases of the eye, and 'optometry' has relation to the measurement of the powers of vision and the adaptation of lenses for the aid thereof."

Sachs v. Board of Registration in Medicine

MISSOURI (Kansas City Court of Appeals)

"Mechanical means"

"...employment of objective mechanical means to determine accommodative or refractive states of eye and range, power, or vision of eye constituted practice of optometry."

State v. Etzenhouser

NEW JERSEY (Supreme Court of New Jersey)

"Other than the use of drugs"

"'Ophthalmologist' has a relation to the practice of medicine and surgery in treatment of diseases of the eye, while practice of 'optometry' relates to the measurement of powers of vision and adaptation of lenses for aid thereof...the employment of any means other than the use of drugs."

N.J. State Board of Optometrists v. S.S. Kresge Co.

NEW YORK (Supreme Court, Appellate Division)

"Calling quite distinct"

"'Oculists' (ophthalmologists) pursue a calling quite distinct from that of 'optometrists.' The first has relation to the practice of medicine and surgery in the treatment of diseases of the eye, and the second to the measurement of the powers of vision and the adaptation of lenses for the aid thereof. It is the primary function of the 'optometrist' to employ means to determine the need for lenses for the correction of defects of eyesight, and the increase of the power and range of vision. He forms a judgment as to the need, and then provides the corrective lens."

Dickson v. Flynn

OHIO (Court of Appeals of Ohio)

"The business of an optometrist"

"The word 'optometrist' made up of 'opto' meaning of or relating to the eyes of vision, and 'meter,' a unit of measure, indicates what the business of an optometrist is."

Kime v. Aetna Cas. & Sur. Co.

PENNSYLVANIA (Supreme Court of Pennsylvania)

"Other than the use of drugs"

"It is substantially correct to define 'optometry' as the employment of any means other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the correction and aid thereof."

Martin v. Baldy

TENNESSEE (Supreme Court of Tennessee)

"Optometry...occupation or vocation"

"...ophthalmologists being recognized as learned professions relating to the practice of medicine and surgery in treatment of eye disease, and optometry an occupation or vocation calling for degree of mechanical skill and experience in fitting glasses to eyes."

Saunders v. Swann

UTAH (Supreme Court of Utah)

"Subjective and objective means"

"...defines optometry as the employment of 'subjective and objective' mechanical means to determine the accommodative and refractive conditions of the eye."

State ex. rel. Hallen v. State Board of Examiners in Optometry

WISCONSIN (Supreme Court of Wisconsin)

"Not one of the learned professions"

"Although certain standards of education are prescribed by statute concerning the practice of optometry, 'optometry' is not one of the learned professions and an 'optometrist' may be an employee."

State ex. rel. v. Kindy Optical Co.