



AMERICAN BOARD
OF OPTICIANRY



NATIONAL CONTACT
LENS EXAMINERS

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Re: 131st General Assembly Sunset Review Committee
Review of the Ohio Optical Dispensers Board
Testimony of James Michael Morris, JD, MPA

Honorable Members of the 131st General Assembly Sunset Review Committee:

My name is James Michael Morris, and I currently serve as General Counsel and Executive Director of the American Board of Opticianry & National Contact Lens Examiners, [hereinafter “ABO-NCLE”]. ABO-NCLE establishes and maintains minimum proficiency examinations and continuing education requirements in order to assess competency for Opticians and Contact Lens Technicians. My story is a little different than most, which is why I wanted to speak to each of you today. Until January, 2010, I handled a very successful law practice throughout the Southeastern and Midwestern United States. However, I walked away from that practice in order to focus on the mission of ABO-NCLE, the Ohio Optical Dispensers Board, and, indeed, each Opticianry Board throughout this country, to assure that the Citizens of your state are receiving proper care, from a qualified, competent, and capable Optician and Contact Lens Technician. My passion for this mission is a very personal and emotional one.

Ten days after I was sworn in by the Kentucky Supreme Court to practice law, my son, Justin, was born with a very serious birth defect in his right eye. We were immediately seen by a Pediatric Ophthalmological Surgeon, who promptly informed us that we could do nothing about the birth condition, since there was a substantial risk of more serious harm or even death. He then promptly informed us that our son would be “a freak,” that even with the surgery, his best corrected vision would be 20/600-20/800, and that one of us would have to quit our jobs to take care of him, because he would never go to a regular



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school, would never play any sports, and would never drive a vehicle, because of the concern over protecting the vision in his remaining eye.

Terrified, we refused to accept that prognosis, and started searching for a better alternative, which we found at the University of Kentucky, where we were able to obtain innovative and cutting-edge care for our child, which included a competent team of eyecare professionals, including a Licensed Optician and a Licensed Contact Lens Technician. We were young, scared, and extremely confused by the whole situation. Fortunately, we found ourselves in the loving, caring, and knowledgeable hands of the Optician and the Contact Lens Technician, who worked with us as we sat crying on the floor, trying to put a contact lens in a 6 week old baby, pinning his head so that we could learn how to insert and remove the specialty contact lenses. As a result of their guidance, and with the help of a lens implant at the age of two, Justin developed into a wonderfully normal child who attended school, played sports, and has gone on to college – all while holding the World’s Record for a child with his birth defect, with his vision in that eye at 20/50. Over the years, these eyecare experts continuously provided us with invaluable knowledge and expertise in selection of the latest in eyewear, specialized contact lenses, protective eyewear, sports goggles – all with professionalism, compassion, and expertise that could not have been found with any other specialist.

After years of running a successful law practice, I was approached by the Optician who had cared for and treated my son for all those years because ABO-NCLE needed some specialized legal work done. After resolving the issue, I was asked whether I would consider temporarily running the organization, since I know the importance of Opticians, what they do, and how they are different from Optometrists and Ophthalmologists. At first, I declined. After all, I had a successful law practice and did not think I needed to take on any more obligations. However, when I discussed it with my wife, she reminded me of all that Opticians had done for us, and, most importantly, for Justin, and it made me realize just how critically important competent, qualified, and capable Opticians are to the Citizens of every state. I accepted the offer, and have traveled the country over the past five years, working with State Legislatures, Licensing Boards, and State Societies, to address issues relative to Opticianry and Contact Lens Technology.

It is an honor and privilege to be able to address this Sunset Review Committee and to request that this Committee allow the Ohio Optical Dispensers Board to continue its incredible work in protecting the health, safety, and welfare of the Citizens of the State of Ohio. This Board is critically important to protecting your Citizens from the substantial harm that could arise from incompetent, incapable, or unknowledgeable care and treatment from unlicensed and untrained individuals in the eyecare industry.

Secondly, I respectfully submit that a suggested “combined” Board of Optometrists and Opticians would not serve the needs of this State. Opticians are like the Pharmacists of the eyecare industry. They take a prescription from an Ophthalmologist or Optometrist, and they dispense specialty eyewear in accordance with the prescription. Combining any of those boards with the Optical Dispensers Board would be similar to combining the Pharmacy Board with those that control physicians. While both are involved in the medical field, each has a completely different role, and physicians would be incapable of providing acceptable oversight of pharmacy. Likewise, with regard to Optical Dispensers, while



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Optometrists and Ophthalmologists are competent in their respective fields, neither would be competent or capable of providing the appropriate oversight of Opticians or of the Optical Dispensers Board, as the function of each is drastically different from the other.

Thank you for your willingness to listen to my testimony. I would be more than happy to answer any questions that you may have.

/s/ James M. Morris

James M. Morris*

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American Board of Opticianry & National Contact Lens Examiners

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