



VOTE YES ON HB 4356

HB 4356 would allow access to online vision testing services, including online prescription renewal for glasses and contact lens wearers, save consumers and taxpayers time and money, increase convenience, help rural and medically underserved communities, and promote good eye health.



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Why would Optometrists Oppose HB 4356?

Optometrists receive about **55 percent of their revenue** (*Management & Business Academy 2018*) from the sale of the glasses and contact lenses they prescribe. Any technology that results in fewer in-person office visits has a potential to cut into their sales and profits. Contact lens manufacturers, meanwhile, use rebates to optometrists to incentivize prescribing their brands to customers. Since online vision tests potentially impact which eye care providers are issuing prescriptions, optometrists fear that their ability to profit through the sale of what they prescribe will be weakened.

Much as the taxi industry sought to restrict new ride-sharing services, these contact lens industry players – rather than incorporating the technologies to benefit their patients – are pressuring state legislators to ban them.

The Michigan Optometric Association’s opposition to this bill is clearly intended to hold consumers’ prescriptions hostage, forcing them into optometrists’ offices every year for expensive comprehensive exams where they push sales tactics on consumers to have them purchase lenses directly from optometrists.



What do Ophthalmologist and other Medical Professionals say about one line testing?

Ophthalmologists and other medical professionals, who unlike optometrists, typically do not sell and profit from what they prescribe, **overwhelmingly oppose banning online vision tests services**. Laws banning medical technology effectively say to licensed physicians that “we don’t trust your medical judgment.” Physicians should be allowed to determine what tools can be used to effectively deliver safe care to their patients taking into account their unique medical needs. The state is already regulating safety and the standard of care through the medical board.

A **February 2017 letter** from the American Academy of Ophthalmology (AAO), the world's largest association of eye physicians and surgeons, to Washington state legislators expressed their opposition to a proposed ban on vision care telehealth in the state.

The AAO wrote: ***“We strongly feel that this legislation places unnecessary and counterproductive restrictions on the development and use of emerging remote technologies in ophthalmology... A new study published in the medical journal Ophthalmology highlights the potential of these technologies to improve the lives of our patients... Unfortunately, [this bill] – although well intentioned – would manifestly fail to keep pace with new developments in our field and would ultimately be a disservice to citizens of Washington. We do not want that outcome for the people of your state.”***

An AAO Clinical Statement released in December 2014 similarly stated: *“The Academy recognizes the potential of information technology, including Internet-based screening, refraction, and other diagnostic tests, in increasing access to health care services, enhancing patient involvement in their health care decision making, improving efficiency, and reducing overall health care costs.”*



The Truth About Online Vision Tests

Optometrists conflate the sale of contact lenses to the use of online ocular telehealth. Consumers having the ability to renew their prescription and being able to purchase from the seller of their choice is a threat to optometrist sales and rebates. What optometrists leave out is that online sellers are still regulated by federal statute and the Federal Trade Commission and have been for the last 25 years.

While the Coalition can't speak for all online providers for prescription renewals, final liability rests on the optometrist and or the ophthalmologist renewing the prescriptions. Online platforms are the tools that that optometrists and eye physicians can use to connect to patients and provide care. Many online platforms use ophthalmologists (MD/DOs), which differ from optometrist, who are not licensed medical doctors. The medical license of these physicians could be revoked for malpractice or regulated by the state's medical board if practicing outside of the standard of care.

However, in the four years of operation across multiple businesses that provide these services, no adverse events reported or consumer initiated medical board complaints have been issued. Michigan's current law outlawing telemedicine for eye care effectively says to licensed physicians that “we don't trust your medical judgment” and “we don't trust patients to determine the care they need.”

Reference: The Management & Business Academy. 2018. Assessing Optometric Practice Performance & Best Practices of Spectacle Lens Management Report. Dallas, TX 75234: ECP University .

