

MAINE STATE LEGISLATURE

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September 9, 1946

To:
S. E. Alperen, Optometrist
64 Lisbon Street, Lewiston, Maine

I have your letter of September 4th, which came during my absence at the grand jury in Penobscot County. You ask this question in your letter:

"Would the practice of the fitting of contact lenses by any person, firm or corporation other than one duly and legally authorized in the practice of optometry be legal in the State of Maine?"

I also acknowledge receipt of certain documents which you sent me relating to the optometry law in North Carolina and Oregon.

I call your attention to Subsections 3 and 4 of Section 5 of Chapter 69, R. S. 1944, which defines the practice of optometry. It seems to me that these subsections cover your question, taken in connection with Section 7 of the same chapter, which provides that no person shall practise optometry in this State, unless he shall first obtain a certificate of registration from the board, etc. Of course this does not apply to practising physicians, nor to resident merchants, so long as they do not sell glasses containing ophthalmic lenses.

In the letter from Attorney Barker of Durham, N. C., to Dr. Henry S. Day, president of the North Carolina State Board of Examiners, he states that contact lenses may be "described as a device that fits in contact with the eye, used to improve vision. It consists of a plastic or glass lens, or a water lens, which is intended and does perform the same service for correction of vision as glass lenses mounted on frames, or other devices for improving vision."

I do not know whether contact lenses would be in the same class as ophthalmic lenses. If they are, the fitting of contact lenses by any person not duly registered would be a violation of Sections 6 and 7 of Chapter 69, R. S. 1944.

Ralph W. Farris
Attorney General

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