

# Senate Bill 36: Uncovering the Truth

Learn more and dispel the myths about this important piece of legislation.

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## CLAIM



- 1 Patients may be harmed by expanding optometrists' scope to perform these in-office procedures.
- 2 There are no cost savings to the health care system if scope is expanded.
- 3 Patients will only have to wait 2 weeks for laser procedures and are within a 30-minute drive of an ophthalmologist's office.
- 4 Scope of practice does not influence where new graduates decide to practice, as only 3 of 640 optometry school graduates from Ohio State University have moved to a state with an expanded surgical authority and billed Medicare.
- 5 Optometrists have harmed patients using a laser on the wrong setting.
- 6 Ohio is one of the top 7 states for amount of practicing physicians.
- 7 Emerging initiatives can improve access to eye care without expanding surgical privileges.
- 8 Studies do not show improved access and outcomes after optometric scope expansion.
- 9 Optometrists are not trained in these procedures.

PLEASE SEE ENDNOTES AND REFERENCE ON THE BACK OF THIS PAGE

## TRUTH



- 1 • **Over 146,000 laser procedures** have been safely performed by optometrists in the U.S.<sup>1</sup>
- 2 • Restricting an optometrist's ability to perform the procedures authorized by SB36 results in referring a patient to an ophthalmologist to repeat the exam, which results in duplicate billing of services.
  - Studies show other optometric scope expansions have resulted in transaction **cost savings of \$600 million per year.**<sup>2</sup>
- 3 • Optometrists and their patients report wait times for an appointment with an ophthalmologist of 4-12 weeks for the initial consultation and another 4-12 weeks for the subsequent laser procedure.
  - Studies show that the mean wait time for an appointment with an optometrist is less than one-half the mean wait time of an ophthalmologist.<sup>3,4</sup>
  - Only 60% of Ohio counties have ophthalmology practices, whereas **99% have optometry practices.**<sup>5,6</sup>
  - In Ohio's Appalachian regions, patients often have just one ophthalmology provider serving multiple counties with a 3-5 month wait time for an appointment.
- 4 • 52% of the students in the last 3 graduating classes from the OSU College of Optometry have **left the State of Ohio.**<sup>7</sup>
  - Optometrists in the age group 26-35 yrs. are the smallest percentage compared to all other age groups in Ohio.<sup>8</sup>
  - In states with modern scope of practice laws, optometrists billed for more YAG and SLT laser procedures than ophthalmologists based on the 2023 Medicare billing data.<sup>8</sup>
- 5 • The Academy of Ophthalmology has reported on their own multiple cases of harm to patients also using the wrong laser setting.<sup>9,10</sup>
  - Of 146,000 laser procedures performed by optometrists, only one malpractice claim has been documented for laser setting error, with one additional case currently pending litigation.<sup>11</sup>
- 6 • This is not specific for ophthalmology as no other physician types (gastroenterologists, primary care physicians, cardiologists, etc.) provide the services listed in SB36 other than ophthalmologists.
  - By 2035, ophthalmology is projected to face a 12% workforce decline alongside a 24% increase in demand, with rural workforce adequacy at just 29%.<sup>11</sup>
- 7 • OhioSEE and Save Our Sight are pediatric-focused initiatives and do not expand access or address wait times for adult eye care. By contrast, SB36 addresses improved access for medical eye care for adults by leveraging the skills and training of Doctors of Optometry.
- 8 • Studies show vision impairment declined 12% over a 15-year period after passage of optometric scope expansion legislation.<sup>12</sup>
- 9 • Optometric students have been trained in these procedures.
  - Passage of SB36 allows students to perform them under supervision during externships, with training comparable to ophthalmology residents.
  - Doctors of Optometry currently diagnose these conditions and provide post-operative management. They would be required to complete a standardized 32-hour national certification course with written examination and demonstrate procedural proficiency consistent with ACGME ophthalmology training minimums.

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## ENDNOTE AND REFERENCES

- <sup>1</sup> Lighthizer, N., Patel, K., Cockrell, D., Leung, S., Harle, D. E., Varia, J., ... Alam, K. (2025). Establishment and review of educational programs to train optometrists in laser procedures and injections. *Clinical and Experimental Optometry*, 108(3), 248–257. <https://doi.org/10.1080/08164622.2024.2380075>
- <sup>2</sup> June 20, 2019 by Avalon Health Economics LLC (**Optometry's Essential and Expanding Role in Health Care**) Comparison of Access to Eye Care Appointments Between Patients With Medicaid and Those With Private Health Care Insurance. *JAMA Ophthalmol.* 2018 Jun 1;136(6):622–629
- <sup>3</sup> Comparison of Access to Eye Care Appointments Between Patients With Medicaid and Those With Private Health Care Insurance. *JAMA Ophthalmol.* 2018 Jun 1;136(6):622–629
- <sup>4</sup> <https://go.ecgmc.com/rs/073-EZR-159/images/Ambulatory-Access-Survey-Ophthalmology.pdf>
- <sup>5</sup> American Optometric Association (AOA) Doctor of Optometry Master Data File. St. Louis, Missouri. January 9, 2024.
- <sup>6</sup> American Medical Association (AMA) Masterfile Physician Professional Data 2023. Chicago, Illinois. Available from: Medical Marketing Services, Inc. December 2023.
- <sup>7</sup> The Ohio Optometric Association Ohio State College of Optometry Student data file.
- <sup>8</sup> <https://www.kff.org/medicare/state-indicator/total-medicare-beneficiaries/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D>
- <sup>9</sup> Dual-mode Capsulotomy and Selective Laser Trabeculoplasty Lasers Continue to Cause Severe, Permanent Macular Injuries Ledesma-Gil, Gerardo et al. *Ophthalmology*, Volume 127, Issue 12, 1766 – 1768
- <sup>10</sup> Flood TP, Flood CT. MACULAR BURN DURING AN ATTEMPTED YAG LASER CAPSULOTOMY BY INADVERTENT USE OF SELECTIVE LASER TRABECULOPLASTY MODE OF A DUAL-MODE LASER. *Retin Cases Brief Rep.* 2020 Summer;14(3):224–227. doi: 10.1097/ICB.0000000000000680. PMID: 29261556.
- <sup>11</sup> Berkowitz ST, Finn AP, Parikh R, Kuriyan AE, Patel S. Ophthalmology Workforce Projections in the United States, 2020 to 2035. *Ophthalmology.* 2024 Feb;131(2):133–139. doi: 10.1016/j.ophtha.2023.09.018. Epub 2023 Sep 20. PMID: 3773923
- <sup>12</sup> Seeing is believing: The effects of optometrist scope of practice expansion - Bae - 2025 - Contemporary Economic Policy - Wiley Online Library (<https://onlinelibrary.wiley.com/doi/abs/10.1111/coep.12645>)



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