

**OPINION NO. 66-079****Syllabus:**

1. A person licensed as a limited practitioner of mechanotherapy can not practice optometry without being also licensed to practice optometry.

2. A mechanotherapist doing refractions providing glasses is doing optometric work and is practicing optometry without a license.

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**To: A. H. Cole, Executive Secretary, State Board of Optometry, Columbus, Ohio**  
**By: William B. Saxbe, Attorney General, April 25, 1966**

Your request for my opinion reads as follows:

"We would appreciate your opinion on the status of a mechanotherapist doing refractions and prescribing glasses; in other words, optometric work.

"The question is, 'is he practicing optometry without a valid license?'"

The requirement that a person be licensed to practice optometry in the State of Ohio is established by Section 4725.02, Revised Code, which provides:

"No person shall engage in the practice of optometry or hold himself out as a practitioner of optometry, or attempt to determine the kind of glasses needed by any person, or hold himself out as a licensed optometrist when not so licensed, or hold himself out as able to examine the eyes of any person for the purpose of fitting the same with glasses, excepting those exempted under section 4725.14 of the Revised Code unless he has first fulfilled the requirements of sections 4725.01 to 4725.14, inclusive, of the Revised Code, and has received a certificate of licensure from the state board of optometry, nor shall any person represent that he is the lawful holder of a certificate of licensure such as is provided for in such sections, when in fact he is not such lawful holder, or impersonate any licensed practitioner of optometry."

Certain exceptions are made to the licensing requirements by Section 4725.14, Revised Code, which provides in part:

"Sections 4725.01 to 4725.14, inclusive, of the Revised Code do not apply:

"(A) To physicians or surgeons practicing under authority of licenses issued under the laws of this state for the practice of medicine or surgery;"

The examination and registration of mechanotherapists are provided for in Section 4731.15, Revised Code, which states:

"The state medical board shall also examine and register persons desiring to practice any limited branch of medicine or surgery, and shall establish rules and regulations governing such limited practice. Such limited branches of medicine or surgery shall include \* \* \* mechanotherapy \* \* \*"

Under the Rules and Regulations governing limited practitioners as adopted by the State Medical Board, mechanotherapy is defined as:

"Mechanotherapy is hereby understood to be the use of manual, physical or mechanical measures for the treatment of disease. Such physical or mechanical measures shall not include the use of x-ray or radium for therapeutic purposes."

It is further provided by the Rules of the State Medical Board pertaining to limited practitioners that:

"Practice must be confined to the limited branch or branches specified in the certificate and generally recognized as such.

"The certificate does not permit the holder \* \* \* the use of the title 'physician' or 'surgeon'."

Optometry is defined by Webster's Third New International

Dictionary as being:

"An occupation consisting of the examination of the eye for defects and faults of refraction and the prescription of correctional lenses and exercises but not including the use of drugs or surgery."

Webster's Third New International Dictionary defines mechanotherapy as being:

"The treatment of disease by manual, physical or mechanical means."

You have specifically asked my opinion concerning the act of doing refractions and providing glasses. The term refractions is defined by Webster's Third New International Dictionary as being:

"the act or technique of determining ocular refraction and identifying abnormalities as a basis for the prescription of corrective lenses;

"the deflection from a straight path undergone by a light ray or a wave of energy in passing obliquely from one medium (as air) into another (as water, glass) in which its velocity is different."

From a scientific viewpoint, the term refraction as applied to the practice of optometry means that the direction of light rays passing through a corrective lens is changed to compensate for a physical abnormality in the patient's eye and thus improving vision. Although there are other optometric principals involved in prescribing eye glasses, by professional usage, the term "doing refractions" is applied to the entire process of examining eyes preparatory to prescribing eye glasses.

For a person to be eligible to take the examination to obtain a license to practice optometry, Section 4725.08, Revised Code, provides:

"No person is eligible to take the examination unless he \* \* \* has satisfactorily completed a course of study of at least five college years and is graduated from a school of optometry accredited by the board; provided that the school of optometry requires at least two academic years of study with credits of at least

sixty semester hours or ninety quarter hours in a college of arts and sciences accredited by the association of American universities or the north central association of colleges and secondary schools or a similar regional accrediting agency as a prerequisite to admission to the courses in optometry; and provided that in addition the school of optometry requires a course of study of at least three academic years with credits of at least one hundred semester hours or one hundred fifty quarter hours.

"The examination shall consist of tests in practical, theoretical, and physiological optics, in theoretical and practical optometry, in the anatomy and physiology of the eye, in pathology, and in the optometric aspects of whatever additional related social, physical, and biological sciences are deemed by the board to be appropriate subject matter for examination \* \* \*"

There are no corresponding requirements, either statutory or by the rules and regulations governing limited practitioners adopted by the State Medical Board, that a mechanotherapist be educated and trained in the science of optometrics.

From a practical view point, I must agree that both an optometrist and a mechanotherapist use mechanical means to practice their respective professions.

To an optometrist this consists of binocular ophthalmoscopes, slit lamps, tangent screens, perimeters, ophthalmometers, phakometers, Abbe refractometers, spectrometers, vertometers, neutralizing sets, centering machines, etc.

A mechanotherapist is not necessarily trained in the use of these devices. Therefore, I am of the opinion that the training and education necessary to obtain a limited practitioner's license as a mechanotherapist does not include the training and knowledge required to practice the profession of optometry.

Furthermore, the exemptions of Section 4725.14, *supra*, are limited to physicians and surgeons. The rules adopted by the State Medical Board specifically provide that a mechanotherapist is not a physician or surgeon.

Therefore, it is my opinion and you are hereby advised that:

1. A person licensed as a limited practitioner of mechanotherapy can not practice optometry without being also licensed to practice optometry.

2. A mechanotherapist doing refractions providing glasses is doing optometric work and is practicing optometry without a license.