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House Industry, Business, and Labor

HB 1267

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IN Support

Chairman Warrey and members of the committee:

For the record, my name is Dr. Leslie Hellebush and I am testifying in support of HB1267. I am an optometrist, small business owner, and a Past President of the North Dakota Optometric Association. I have been licensed and in practice in North Dakota since 2013. After starting my career in Rugby, I now primarily practice in Bismarck, have a satellite office in Garrison, and provide eyecare at Elm Crest Manor in New Salem.

The bill changes The Optometric Practice Code by modernizing the language to current standards, removing redundancies, and providing safe guardrails for optometric telemedicine.

Optometric telemedicine is an evolving tool in patient care. The NDOA supports the appropriate use of optometric telemedicine to allow access to high quality health and vision care. Telemedicine can serve to expand patient access to care, improve coordination of care, and enhance communication among all healthcare practitioners involved in the care of a patient. With optometric clinics in Rugby, Rolla, Langdon, and Cavalier closing, optometric telemedicine will limit health disparities faced by rural North Dakotans, including advanced eye disease from infrequent preventative care. In my office, we complement our in-person exams with retinal photography. Ultrawide field imaging, special filters, and increased resolution can detect eye disease, including diabetic retinopathy, assisting in the diagnosis of sight threatening conditions before they lead to permanent vision loss. It was through an in-person exam, complemented with retinal imaging, that I diagnosed Crystal, a devoted wife and young mother of three, with a sight threatening neurological condition. After coordinating care with her primary care doctor and getting her established with neurology, her vision improved, and she is back to living a normal life.

In the last three years, we've seen an influx of optometric telemedicine providers in North Dakota, with clinics in Fargo, Grand Forks, and Minot providing services without an on-site provider. This legislation will set the expectation that eye, health, and vision services delivered via optometric telemedicine will adhere to the in-person standard of care. Unfortunately, there are some bad actors that

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operate via telemedicine platforms that provide a prescription for glasses or contact lenses without including all the elements of a comprehensive eye exam. Any optometrist who offers a prescription under such circumstances violates their ethical obligation to keep the patients' eye, vision, and general health paramount and does not meet the current standard of care.

There are limitations to optometric telemedicine. Blurry photographs due to cataracts and corneal scarring can lead to misdiagnosis of eye conditions while peripheral retinal tears and detachments can be missed with ultrawide field imaging. These limitations can be mediated by having access to a physical location. An in-person examination can diagnosis conditions that can't be seen with current technology. My patient, Crystal, had such mild optic nerve swelling that couldn't be seen on the retinal photograph – I was only able to see it with my biomicroscope.

All individuals should have the opportunity to receive the standard of eye health and vision care regardless of location, socio-economic status, or any other social determinants of health. Early intervention allows patients to continue to live independently, with decreased economic burden of medical, nursing home, and support services. According to the Centers for Disease Control, the economic burden of vision loss in North Dakotans was \$344,000,000 in 2017. This number was calculated using medical costs, nursing home costs, other supporting costs, and lost productivity costs. This amounts to \$21,000 per North Dakotan with vision loss.

North Dakota has 22.75 optometrists per 100,000 residents, far exceeding the national average of 15.1, but still faces challenges in rural areas due to lack of providers. This bill will help bridge this provider gap by ensuring safe access to eyecare. An optometric telemedicine exam is better than no exam, and licensed optometrists are legally and ethically bound to always protect and improve the health and vision of their patients. The use of optometric telemedicine along with the option of in person care if needed, will improve eye and vision health in North Dakota.

I am asking you to vote 'yes' on the proposed changes to Chapter 43-13. Optometric telemedicine can address these challenges, allowing for early intervention and treatment of blinding eye disease, and lowering the economic burden of vision loss. I want to responsibly expand optometric telemedicine services and ensure that safe, high-quality care is available to all North Dakotans.