

## **German Optometrists Succeeded in Optometric Screening Lawsuit**

**Düsseldorf, ZVA. On April 21st an appeal lawsuit ended successfully for optometrists at the German Federal Supreme Court (BGH) in Karlsruhe. After nearly 10 years of legal debate the BGH confirmed the position of the optometrists, that optometrists are allowed to measure the intraocular pressure (Non-Contact-Tonometry) and perimetric procedures. Optometrists have to inform their clients about the constricted significance of the measurements, but not in a written form.**

With this verdict (reference I ZR 190/02) the BGH rejected the appeal of the German professional organisation of ophthalmologists; thus finally ending then 10 year old legal battle in favour of the optometrists.

The German association of optometrists, the “Zentralverband der Augenoptiker” (ZVA), points out, that with this successful ending of the lawsuit finally legal security has been achieved for optometrists offering optometric screening tests like Non-Contact-Tonometry and testings of the visual fields. After a principal decision of the German Federal Constitutional Court in August 2000 the present process was about the optometrists duty to inform the clients before practice Non-Contact-Tonometry and testing the visual fields.

The BGH has decided that this duty of information has neither to be in written form nor that the customer has to give a receipt. Furthermore the petition of the ophthalmologists was rejected, that optometrists have to point out statistical inaccuracies. So once more, from the view of the ZVA, unnecessary and harmful obstacles put in the optometrists way by the ophthalmologists have been rejected.

Your contact for questions:

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