

CHAPTER 4

THE AUTHORIZATION FOR THE ESTABLISHMENT OF A SCHOOL OF OPTOMETRY IN THE STATE OF ALABAMA

INTRODUCTION

The establishment of a school of optometry in the State of Alabama occurred because of the efforts of many members of the Alabama Optometric Association, the cooperation of several organizations, city and county governments, Dr. Joseph Volker, Dr. Frank Rose, individual legislators, the Alabama Legislature, and Governors Lurleen Wallace and Albert Brewer, as well as many other determined individuals. These individuals, organizations, and legislative bodies demonstrated great persistence in the face of significant medical opposition.

The Alabama Optometric Association (ALOA) has had, on balance, an impressive legislative history. One must consider its history within the context of its small size, in terms of membership, and total reliance on the volunteer efforts of its leaders and members. From the time of the passage of the original optometry practice act in 1919, through its many attempts to elevate the profession and/or eliminate the commercial aspects of optometric practice, its one common denominator has been persistence. This history is even more remarkable given the fact that for most of its first 70 years there was no staff support. The Officers, Board of Directors, and leaders among the general membership of the ALOA, evolved into a small, yet ever-changing core group of leaders, who provided all the services necessary to support the members of the organization.

Beginning in 1906, as the Alabama Optical Society (AOS), this organization has ultimately been successful in passing significant legislation. This was especially true, not only during its formative years, but also during the time period of the 1960's. The ALOA demonstrated great strategic planning and execution in the passage of legislation to establish a school of optometry. The fact that the school is an integral part of a major academic medical center only makes this achievement all the more remarkable.

Some of the history that led to the establishment of the UAB School of Optometry (UABSO) has been described by Dr. Henry B. Peters, the founding Dean of the School, in the book **25th Anniversary Photographic History, 1969 – 1994** (1). Dr. Peters was invited by Dr. Arol Augsburger, the third Dean of the School, to prepare this history to commemorate the 25th Anniversary of the beginning of the School of Optometry. This chapter is an effort to significantly expand on the description of events initially provided by Dr. Peters.

This chapter also includes **six appendices** that help to further illuminate issues related to the establishment of the UAB School of Optometry. Short biographical sketches of each of the four individuals who played key roles in this legislative effort are presented under the heading of **Visionaries in Appendix I**. The individuals included are Drs. Donald Springer, E. C. Overton, E. A. Coshatt and Senator Alton Turner (1-6). However, suffice it to say there were many others involved in this legislative effort as well. Of particular note were the efforts of Drs. Edgar Warr

and Don Snellgrove whose discussions with Senator Alton Turner proved the critical link in the success of this legislation. In many ways, Drs. Warr and Snellgrove are the unsung heroes of this effort to establish a school of optometry in Alabama. Dr. Snellgrove served as President of the ALOA during the critical time period of 1967-68 when legislation was passed to establish a school and efforts to secure funding were a topic of broad interest.

A Timeline of the Important Events Related to the Establishment of the UAB School of Optometry is provided in **Appendix II**. This timeline is provided in hopes that it will help simplify what is a very complicated and somewhat complex history of the events that led to the legislation that established the University of Alabama at Birmingham School of Optometry (UABSO). A **Summary of the Debate that Occurred During the 1967 and 1969 Educational Appropriations Bills** is included in **Appendix III**.

An Interview with Governor Albert Brewer regarding his memories of events related to this legislation is included in **Appendix IV**. A list of individuals that contributed to a fundraising campaign in support of the UAB School of Optometry is provided as they appear on the **School of Optometry Founder's Plaque** in **Appendix V**. Finally, a summary of the many challenges faced by Dean Peters in the **Planning, Construction, Equipping, and Financing of the School of Optometry Building** is detailed in **Appendix VI**.

PRELUDE TO CHANGE

Genesis for a New School

As a result of his involvement over the years in the leadership of the American Academy of Optometry (AAO), Dr. Donald Springer from Anniston, Alabama, was very aware of the critical nature of optometric workforce issues (1, 2). Dr. Springer was especially concerned as to how workforce needs related to the South, in general, and the State of Alabama, in particular, would be addressed. Having served on the Executive Committee of the AAO for several years during the late 1950's, and early 1960's, Dr. Springer was aware of the need for an increase in the workforce of all the independent health care professions and how this might be accomplished. This need was apparent not only because of the growing population of the country but of the likely passage of federal entitlement programs. Programs such as Medicare and Medicaid would not only increase access to health care but add to the need for more healthcare providers.

In 1963, he persuaded the Alabama Optometric Association (ALO) to form a Health Manpower Committee to investigate the need for an increased optometric workforce in the State of Alabama. It had become apparent beginning in the late 1950's that health care manpower (workforce) would not be capable of meeting the increasing demand for health care services in the United States, especially if federal entitlement programs were enacted (1, 2).

Context of the Time

It is important to place the establishment of the University of Alabama at Birmingham School of Optometry (UABSO) within the context of not only the time period leading to its establishment, but to provide some understanding of the importance and the impact of the Health Professions Educational Assistance (HPEA) Act on all health professions. The inclusion of optometry within the HPEA Act (HPEAA) enabled many schools and colleges of optometry to either renovate or build new facilities for their programs. The UAB School of Optometry building received partial financial support for its construction from the HPEA Act. The original HPEA Act, and subsequent acts, would also significantly affect student loans, support for professional education, and the funding of research facilities (1).

THE PROPOSAL OF THE HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE ACT

Addressing the Needs for Future Health Care

One of the major public policy issues of the early 1960's was how to address the predicted future health care needs of the United States. The HPEAA was one of monumental importance in health care education and addressing the workforce needs for health care providers. This was in anticipation of new federal entitlement programs as well as a rapidly expanding United States population. This Act would provide for construction of teaching facilities for specified health care providers, scholarship grants and educational cost payments, and extend and improve the health research facilities construction program scheduled to expire June 30, 1962. After public hearings and passage by Congress, the HPEAA was signed into law in 1963 by President John F. Kennedy. This law and its subsequent forms continued into the 1990's

Reports that Led to the Introduction of the HPEA Legislation

On February 24, 1961 Senator Lister Hill of Alabama introduced Senate Bill, S. 1072 in the U. S. Senate. Senator Hill's action had been precipitated by the reports of several consultant groups. In 1958, the Secretary of Health, Education and Welfare (HEW) Consultants on Medical Research and Education, had reported to former Health, Education, and Welfare Secretary, Marion Folsom, that 14 to 20 new medical schools would be required to sustain the physician to population ratio. In a separate report by this same group, at least two dental schools would be required to re-establish the appropriate dentist to population ratio.

In 1959 the Surgeon General's Consultant Group on Medical Education reported that the equivalent of 20 to 24 new two-year and four-year medical (including osteopathic) schools would be needed by 1975 to maintain the 1959 physician to population ratio. In the profession of dentistry 22 new schools were necessary to keep dentist to population ratio at its 1959 level.

In 1960 the Committee of Consultants on Medical Research of the Subcommittee on Appropriations produced the report "Federal Support for Medical Research" which endorsed the 1958 recommendations of the Bayne-Jones report for training additional physicians and dentists, federal scholarship assistance and extension, and a better quality health research facilities construction program. Finally, in April 1961, the report of the President's Conference on Heart Disease and Cancer, stressed the need for increasing the number and quality of personnel and specifically endorsed S. 1072 for scholarship assistance (7-9).

The primary goal of S. 1072 was to increase enrollment and graduation rates for physicians and dentists. These professions were to become collectively known as the MOD group within the context of the HPEA Act. The acronym MOD referred to the professions of medicine, osteopathy and dentistry. Several other groups of health care providers, including optometry, provided testimony urging the inclusion of their professions in this legislation as well. This group became known as the VOPP group referring to Veterinary Medicine, Optometry, Pharmacy and Podiatry.

Initial Testimony by Optometry for Inclusion in HPEA Act

During these early years a number of optometrists provided testimony on behalf of the profession as a result of their position with an educational institution or professional organization or both. Public hearings were first held on Friday, April 28; Wednesday, May 3; and Friday, May 5, 1961 by the Subcommittee on Health of the U. S. Senate Committee on Labor and Public Welfare (7-9). The first optometrist to testify before this subcommittee was Dr. Henry W. Hofstetter, Director of the Division of Optometry, Indiana University, and Chairman of the Committee on Research of the American Optometric Association. Dr. Hofstetter testified on Friday, May 5, 1961. He was accompanied by Mr. William P. MacCracken, Jr., Washington Legal Counsel for the American Optometric Association (9).

On January 23, 1962 Dr. Alfred Rosenbloom, Dean of the Illinois College of Optometry and a member of the Council on Optometric Education (COE) was accompanied by Mr. MacCracken to testify before the House Committee on Interstate and Foreign Commerce. Dean Rosenbloom presented information on the decline in the number of optometrists in relationship to the population, the mounting cost of optometric education, and the decrease in the number of qualified applicants.

By coincidence, on this same day, January 23, 1962, U. S. Representative Torbert H. MacDonald, from the Massachusetts 8th Congressional District, offered amendments to H.R. 4999 that would authorize funds for optometry schools and colleges as well as for financial support for optometry students. One of these amendments would authorize the addition of \$750,000 for construction of optometry schools and colleges to the original \$75 million proposed for the

renovation and construction of health schools. It seems highly likely this amendment was coordinated by the staff of the American Optometric Association (AOA) with Representative MacDonald's office, perhaps through some Kennedy connection.

Congressman MacDonald's amendments ultimately proved successful and led to optometry's inclusion in this landmark legislation. His initial action proved to be of significance in the continued inclusion of optometry in these important laws that continued, in some form, into the 1990's.

MacDonald spent several years in Massachusetts public schools before entering Phillips Academy in Andover, Massachusetts. Following preparatory school graduation, he attended Harvard University. There he served as captain of the Harvard football team, was a roommate of John F. Kennedy and graduated in 1940. Following service in the Navy during World War II as a PT boat commander in the Southwest Pacific, he attended Harvard Law School, graduating in 1946. MacDonald and Kennedy remained close friends throughout their lives and "Torby" served as an usher at Senator Kennedy's wedding and an Honorary Pallbearer at the President's funeral. He served in the United States House of Representatives (D) from January 3, 1955 to January 3, 1963. He served as Majority Whip and as the ranking Democrat on the House Committee on Interstate and Foreign Commerce (10, 11). This is the House Committee that held hearings on the original HPEA Act. The profession owes Congressman MacDonald a debt of gratitude.

Enactment of the HPEA Legislation

The Public Health Service (PHS) Act is the body of laws governing federal participation in the development of the Nation's health care delivery system. The HPEA legislation was the first Federal program directed at meeting critical needs for increasing the health professions manpower (workforce). It transformed the Public Health Service Act from providing support for only "Health Research Facilities" to "Health Research and Teaching Facilities and Training of Professional Health Personnel". The statutes governing federal legislation that provided assistance to health care profession's schools for construction of teaching facilities and assistance to students in the form of loans and other types of support were known collectively as Title VII of the PHS Act. In the beginning optometry was eligible under the program for construction grants, but was not included in the student loan program (12).

The first part of this act authorized a three-year program of grants for the construction of teaching facilities for physicians, dentists, nurses, professional public health personnel, pharmacists, optometrists and podiatrists. The second part of this act established a National Advisory Council on Education for Health Professions. The third part of this act authorized the

establishment and operation of a student loan fund for students of medicine, dentistry and osteopathy (12).

The profession of optometry became involved in Title VII initially through the HPEAA of 1963, known as Public Law 88-129. This law was approved by Congress on September 24, 1963 and signed into law by President Kennedy on October 13, 1963. It became effective for 1964-66 and provided \$175 million for construction and scholarships. The need for increased workforce in the fields of medicine and dentistry had been carefully studied and documented. As a result, construction and student loans and grants for the MOD group were given the highest priority (12).

On February 7, 1963 Dr. Chester H. Pheiffer, Dean of the University of Houston, College of Optometry and also representing the AOA, testified before the same House Committee on the need for student loans and the increasing shortage of optometrists, especially in the South. Dean Pheiffer was accompanied by Mr. MacCracken, general legal counsel representing the AOA.

On August 22, 1963 Dr. W. Judd Chapman, President of the AOA, Dr. Lawrence Fitch, President of the Pennsylvania State College of Optometry, Mr. MacCracken, general counsel and Mr. David Sharman from the AOA Washington Office, appeared before the Senate Subcommittee on Health to testify as to the need for the student loan program and construction funding for facilities. By 1964 several optometry schools or colleges had submitted applications for construction grants. Among those schools or colleges submitting grants were the Pennsylvania State College of Optometry, Pacific University College of Optometry and Southern College of Optometry (1).

On May 26, 1964 several prominent optometrists testified before the House Committee as to the need for student loans and the shortage of optometrists. Among those who testified were Dr. H. Ward Ewalt, Immediate Past President of the AOA, Dr. Gordon H. Heath, Chairman of the Graduate Program in Physiological Optics at Indiana University and President of the Association of Schools and Colleges of Optometry (ASCO), **Dr. Donald A Springer, President of the American Academy of Optometry**, Dr. Frank M. Kitchell, Senior Vice President of the American Optometric Foundation and Dr. Nelson F. Waldman, President of the Texas Optometric Association and Chairman of the AOA Committee on Vocational Guidance.

The Impetus for a New School of Optometry in Alabama

Dr. Springer was afforded the opportunity to testify before the House Committee on Interstate and Foreign Commerce as a result of his role as President of the American Academy of Optometry (AAO). He had been invited to testify by the Chairman of the Committee, U. S. Representative Kenneth Roberts from Piedmont, Alabama. By coincidence Roberts was a

family friend and a patient of Dr. Springer's (1, 2). Optometry's inclusion in the landmark legislation was of vital importance to the profession's future.

The passage of the HPEA Act of 1963 (PL 88-129) and its Amendments of 1964 (PL 88-654) and 1965 (PL 89-290) had made optometry eligible for funding related to its academic programs (12, 13). In subsequent years, optometry would also be recognized as a potential member of the health manpower team by the President's National Advisory Commission on Health Manpower in 1967. Furthermore, the Director of the National Institutes of Health, Dr. Robert Marston, appointed Drs. Glenn Fry and Meredith Morgan, two optometrists affiliated with universities, to serve on the National Advisory Eye Council of the newly formed National Eye Institute. Dr. Fry was Regents Professor of The Ohio State University, College of Optometry; and Dr. Morgan, Dean of the University of California, Berkeley, School of Optometry (14). A letter from Dr. Robert Marston to Representative Bob Casey provided some insight into the diminishing likelihood that optometry would receive all the grant funding it had requested (15). This topic is discussed at greater length in the section on Construction Funding in **Appendix VI**.

ESTABLISHING A NEED FOR A SCHOOL OF OPTOMETRY IN ALABAMA

There is little doubt that Dr. Springer, as a result of his experience with the AAO, his testimony before the congressional committee regarding the HPEA Act, his connections to optometric leaders and local politicians, began to envision a way in which a school of optometry might be established in the State of Alabama. Among the first priorities was the necessity of demonstrating a need.

Health Manpower Committee

Dr. Springer initially persuaded the ALOA to form a Health Manpower Committee in 1963. He also served as Chairman of the New College Feasibility Committee for the Southern Council of Optometrists from 1965-1970. The need for such a committee was given additional credibility by reports from the Bureau of Health Manpower. According to these reports, the State of Alabama ranked 49th out of the 50 states in the ratio of optometrists to population (4.8/100,000). With only 184 licensed optometrists in the State in 1966 it was obvious there was a need for additional optometrists (1-2, 14). This is especially apparent when one considers that the number of optometrists was greater in the metropolitan than rural areas. There were rural counties that had little, if any, access to convenient eye care. In addition, of the states with the lowest ratios of optometrists to population, all 10 of them were in the southeast region of the United States and in states comprising the Southern Council of Optometrists (1, 14). In Alabama this low ratio was further compounded by a relatively low rate of passage of those optometrists taking the examination administered by the Alabama Board Optometry (16).

Later in mid-February 1969, in what was remarkably fortuitous timing, the Comprehensive Health Planning Office of the Alabama Department of Public Health submitted information to the Division of Health Manpower, Public Health Service, U. S. Department of Health, Education and Welfare, certifying medical manpower in each of Alabama's counties. This information was prepared for use related to the HPEA programs and was derived from mid-1968 population data (14). The release noted that 47 of Alabama's 67 counties were lacking an optometrist resulting in an optometrist to population ratio of 1/15,000. According to this report, Alabama needed an additional 95 optometrists. The Better Vision Institute (BVI) had also released estimates that 45% of the population wore glasses. The prevalence of visual impairments in the South, including Alabama, was 20.5/1,000 population as compared to a national rate of 17.9/1,000 population (1, 14). These preliminary reports only added credence to what was to follow.

Developing a Relationship with the University of Alabama

The Alabama Optometric Association deserves a significant amount of credit for undertaking such an arduous task as passing legislation to establish a school of optometry. It had been 15 years since a new school of optometry had been established in the United States. Both Indiana University and the University of Houston began optometry programs in 1952. For a relatively small professional association, without an Executive Director, and only a core of member volunteers, to undertake the passage of such important legislation was both courageous and impressive.

One of the first indirect efforts the ALOA undertook was to establish some type of relationship with the University of Alabama. The ALOA developed a continuing education program in 1964 with the University of Alabama that was held on the campus of the University of Alabama in Tuscaloosa, AL (17-18). This continuing education meeting on the Tuscaloosa Campus was well attended and continued through 1967.

Later, Dr. Volker suggested that with the passage of the legislation establishing a school of optometry, future meetings should be held in Birmingham. Unfortunately, the date of the 1964 meeting could not be located in any of the correspondence in the UAB Archives, in the files of the ALOA, or remembered by any ALOA members (17). However, one of the speakers was an optometrist well-known for his research on motorist's vision. Initially the ALOA was having a difficult time establishing a relationship with the UA Department of Continuing Education. Then Dr. Edgar (Ed) Warr was told by a patient to contact Representative J. Drexel Cook who served in the Alabama House of Representatives for three terms (1958-1970) and owned automobile agencies in Elba and Troy, AL. Elba was the same town that Dr. Warr practiced in for his entire professional career. It seems very likely that Dr. Warr either knew Mr. Cook personally or understood his sphere of influence in that part of Alabama. Dr. Warr

contacted Representative Cook who knew Circuit Judge Eric Paul, one of the members of the UA Board of Trustees. Judge Paul was able to intervene on behalf of the ALOA with the UA CE department (17). Whether Dr. Warr knew of Mr. Cook's relationship with Judge Paul was not in any of the historical recollections.

The ALOA knew of the importance of offering a high quality educational program. They invited Merrill Allen, O. D., Ph. D. a world renowned expert in automobile safety research, from Indiana University, to be the featured speaker. Dr. Allen, who was funded by mainstream American automobile manufacturers, lectured on the topic of motorist's vision. The ALOA had invited the Colonel who was head of the Alabama State Troopers to attend this lecture. The Colonel was very impressed by the lecture and shared his opinion with UA personnel or perhaps members of the UA Board of Trustees. This first continuing education program held on the University of Alabama campus was well attended by the members of the ALOA and other optometrists (17, 18).

Pathway to Legislation

Although there was no record of prior correspondence from Dr. Volker to Dr. Springer or any of those who attended the meeting, there was Dr. Volker's calendar for 1965. In this calendar was found, after a very thorough search of the UAB Archives, a notation for Monday, June 14, 1965. Dr. Overton's name appears on the calendar on this date for a 12:30 PM appointment. Dr. Springer had, over the years, known Dr. Joseph Volker through social contacts, and, of course, Dr. Overton through his service on the City Council of Birmingham. It was on this date in June, Drs. Springer, Snellgrove, Overton and Coshatt had a meeting with Dr. Joseph F. Volker, Executive Vice President for Health Affairs, University of Alabama Medical Center (UAMC) (18). These optometrists inquired as to the possibility of the University of Alabama Medical Center beginning a school of optometry. Dr. Volker explained that the University did not begin new schools, but by virtue of being a land grant institution in the State of Alabama, such action was the responsibility of the legislature. He reported that all new schools were approved by legislative acts and funding was appropriated by the legislature. Drs. Springer and colleagues thanked Dr. Volker for this information and departed knowing the requirements for such an undertaking. They felt Dr. Volker was forthright in his assessment of the situation and, perhaps, somewhat sympathetic to their efforts. He certainly was not opposed to their efforts (17, 18). It was apparent that Dr. Springer possessed the vision for the establishment of a school of optometry in the State of Alabama (1, 2, 17). He and his colleagues had now taken the initial step towards this goal and would move to develop a plan to place in motion actions that would result in accomplishing this goal.

Clearly, Dr. Volker had been honest in his description of the steps necessary for such an effort to be successful. The ALOA leadership knew they had much to do if they were going to be

successful in persuading the legislature to enact such a law. Even though a School of Optometry was not part of the University's long term plan, Dr. Volker remained committed to fairness and, if approved, having the best optometry program possible. Dr. Volker remained true to his word during more than two years of intense pressure from the medical community (14, 18).

The meeting day and date of Monday, June 14, 1965, seem all the more accurate since Dr. Volker wrote a follow-up letter to Dr. Overton dated June 18, 1965. Once again Dr. Volker reiterated the University's position. In this letter he stated "It is not the general policy of the University to advocate legislation establishing new health science units, nor is it their custom to oppose the efforts of groups seeking support of University level educational programs shown to be beneficial to the health of the people of the state" (14). Although this letter was, as mentioned by Ms. Crosswhite, sent to Dr. Overton a copy was also likely received by all those optometrists in attendance at the meeting on June 14, 1965 (14).

Dr. Overton reported this matter was discussed at the next meeting of the ALOA Board of Directors (18). Since the annual ALOA meeting was, during this time period, held the week before the AOA annual meeting, it is possible the ALOA meeting was held in June 1965. However, it is also possible that a meeting was held later in the summer or during the fall. Regardless of the time, at this meeting it was suggested that a special ALOA Board of Directors meeting be held in Tuscaloosa during December 1966. This time was selected since it would allow for strategic planning before the 1967 legislative session (19). It was obvious, that in the meantime, there was much behind the scenes effort expended by the ALOA membership in developing relationships with legislators and others.

It is certain the ALOA Board of Directors did not want such plans to become widely known. However, Dr. Volker had agreed to speak to the ALOA Board of Directors during the planned meeting scheduled for later in the year. He did attend the Board of Directors meeting and reiterated what he had explained the previous year to Drs. Springer, Snellgrove, Overton, and Coshatt. Unfortunately, the exact date of this meeting was not recorded either.

A careful examination of Dr. Volker's files and calendar in the UAB Archives did not find any mention of a December date for either 1965 or 1966. However, Dr. Volker's calendar does note a meeting with the "Optometric Association" on Sunday morning, January 8, 1967. It seems likely that Dr. Volker did not attend a December 1966 Board of Director's meeting, if indeed there was one, or perhaps more likely the meeting was scheduled for January 8, 1967. Unfortunately, the date of the December 1966 meeting, if it occurred, was not recorded in either Dr. Overton's or Snellgrove's recollections (17-19). Whether a meeting was held in December 1966 and/or a separate meeting was held in January 1967 isn't especially relevant.

The important aspect at this time is that the Board of Director's did meet with Dr. Volker. Exactly how much of the ALOA's plans were shared by the Board with Dr. Volker is not known.

Moving Forward with Planning

From this point forward activity accelerated. Immediately after Dr. Volker departed the room, following the Board of Director's meeting, a committee was formed to plan strategic and specific actions. Dr. Elbert A. "Bert" Coshatt from Aliceville, Alabama was appointed to serve as the Chairman of what, in effect, was the Legal/Legislative Committee of the ALOA. He also served, by coincidence, as the President of the ALOA for 1966-67, having progressed through the chairs of the ALOA in the normal manner. Dr. Coshatt had experience in dealing with the members of the legislature. His brother, Dr. Roy Coshatt, was an optometrist and a member of the House of Representatives from St. Clair County, and certainly Dr. Coshatt was dedicated to the task. He had an unmatched passion for politics, especially as it applied to the profession of optometry. Dr. Coshatt spent many hours developing relationships with legislators and drove to Montgomery for almost every committee meeting or caucus related to optometry for many years (1, 19). Dr. Coshatt served the ALOA in several capacities, especially in matters related to the legal/ legislative issues involving optometry or the ALOA. He was also instrumental in leading the fundraising drive for the optometry building.

LEGISLATIVE EFFORT TO ESTABLISH A SCHOOL OF OPTOMETRY

An Initial Plan of Action Developed by the ALOA

The first action Dr. Coshatt initiated was to ask that specific members contact key Senate and House members who had been supportive of optometry in the past. Senator Turner had known about the profession of optometry because, at the invitation of Drs. Warr and Snellgrove, he had spoken to the local (South Central) society long before the school of optometry was ever under consideration (17). Dr. Edgar (Ed) Warr had learned, perhaps by virtue of being in Senator Turner's district or through other contacts, of the important position Senator Turner held in the Alabama Senate in 1966. Dr. Warr later recalled to others that he had learned of Senator Turner's position through Representative Drexel Cook who had a car dealership in Dr. Warr's hometown of Elba, Alabama (16-18). It is also very likely that Dr. Joe Watson, the local optometrist in Luverne, AL knew Senator Turner. What legislative interaction they may have had is unknown.

Drs. Warr and Snellgrove practiced in the south central part of the state which is populated by small towns. It was, and remains, a relatively rural part of Alabama but this group of optometrists had one unique feature in common. They had a very active study group that met once a month to discuss all things optometric. This study group was based on the model

popularized by the Optometric Extension Program so common in the mid-part of the 20th century. This study group remains active today.

Senator Turner Agrees to Sponsor Legislation

In the latter part of 1966, Drs. Warr and Snellgrove, went to talk to Senator Turner to explain the ALOA's desire to have a school of optometry established in Alabama. Dr. Don Snellgrove was the President-Elect of the ALOA in 1966-1967 and served as its President during 1967-68 when this legislation was formulated, drafted, introduced, and passed. It was this initial contact with Senator Turner that resulted in a strategy being developed for the next legislative session. When asked who he would like on the Legislative Committee Senator Turner insisted that only one person be appointed. As unusual as this request was, Dr. Snellgrove appointed Dr. Ed Warr as the only member of the Legislative Committee (18). Among the ideas discussed was the formation of a special legislative committee during the January 1967 Organizational Session of the Alabama Legislature. The purpose of this special committee would be for the Legislature to study the feasibility of establishing a school of optometry in the State of Alabama (17, 19).

Furthermore, it was also agreed that there would be appointed to this feasibility committee, three House and two Senate members designated by the ALOA. Senator Alton Turner, widely regarded as one of the most knowledgeable and powerful legislators in the Alabama Senate, if not the entire Legislature, played the key role in the formation of this strategy and the selection of the members of this committee (16). It is very likely there may have been other legislators who played some role as well. At this same time, an agreement was also reached in which Senator Turner was to be hired as the Executive Secretary of the ALOA (17, 19). Even though this may seem like a conflict of interest today, this type of relationship with an Alabama legislator was not an unusual practice in the 1960's and for many years thereafter. It is almost certain that this relationship fostered a great sense of interest in the legislative outcome of this bill by Senator Turner. It is also possible that Senator Turner knew that Governors George and Lurleen Wallace would favor the presence of a school of optometry. The graduates of this program would be more likely to remain in the state or return to their local communities, or other small communities, to serve the eye care needs of a geographically diverse population. This type of program would have great appeal to a populist Governor.

Certainly it is much easier to kill a bill than pass one. Fortunately, with Senator Turner's excellent political skills, the ALOA was successful in passing the necessary legislation on its first attempt. Senator Turner immediately grasped the goal of the ALOA, the likely opponents such legislation would inevitably encounter, and a strategy that would very likely be unorthodox but successful (17). The optometrists were pleased with the plan since they had not had any legislative success for the past two years (17).

Dr. Snellgrove provided eye care for Senator and Mrs. Turner for many years after these events occurred (17). Drs. Warr and Snellgrove remained friends for many years with Senator Turner after the establishment of the UAB School of Optometry (17). Dr. Snellgrove passed away on Tuesday, June 27, 2017.

Organizational Session of the Alabama Legislature - 1967

The legislative dates of the 1967 Organizational Session by calendar days were three in number: First Day – Tuesday, January 10; Second Day – Wednesday, January 11; and Eighth Day – Friday, January 17. This Organizational Session would provide a unique opportunity for Senator Turner to begin his legislative plan.

Senate

According to the records of the Journal of the Senate of the State of Alabama, for the Organizational Session of 1967, on the First Day of the Session, January 10, 1967, Mrs. Agnes Baggett, Secretary of the State of Alabama, certified that according to the certified returns of the November 1966 election, among those elected to the State Senate for a term of four years were Senators from the 20th Senatorial District, Alton L. Turner, and from the 23rd Senatorial District, James S. (Jimmy) Clark (20).

On Friday, January 17, 1967, the Eighth Day of the Organizational Session, (the Senate not being in session on the third, fourth, fifth, sixth or seventh days) following the announcement of names of those members receiving interim committee appointments, the Senate next took up the matter of “Signing of House Joint Resolutions”. The President of the Senate, in the presence of the Senate, after the reading of the resolutions had been dispensed with by a two-thirds vote of the quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing “Message from the House”.

Under the heading of “Resolutions”, Mr. Clark offered the following Senate Joint Resolution, to wit:

S. J. R. 18. Resolved by the Legislature of Alabama, Both Houses Thereof Concurring, that there shall be created and established a joint interim committee, composed of two members of the Senate, appointed by the President of the Senate, and three members of the House appointed by the Speaker. The committee shall make such inquiries and conduct surveys and studies as may be necessary to determine the need for and feasibility of establishing in Alabama a school or college of optometry to be operated in connection with an existing state college or university.

The members of the committee shall elect a chairman and vice chairman from among their number. The Committee shall meet on call of the chairman, at such times and places as he may designate. The committee members shall not be entitled to pay or expenses for performance of their duties. The Secretary of the Senate and Clerk of the House shall provide the committee with such secretarial and clerical help as may be required by the committee.

The committee shall make a report of their findings, conclusions and recommendations to each house of the Legislature not later than the fifth Legislative day of the 1967 Regular Session, and thereupon the committee shall be discharged and dissolved.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate and signed by the Clerk, Mr. John Pemberton (20).

Senator Clark was Chairman of the Senate Rules Committee, a friend of Senator Turner, a man of great influence in the State legislature, and a widely regarded master politician. Senator Clark was a supporter of optometry for many years.

House of Representatives

On this same day and date under the heading "Message from the Senate", Mr. Speaker: The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By Mr. Clark:

S. J. R. 18. (Repeat of the above Senate resolution). Signed McDowell Lee, Secretary

Under the heading of "Senate Message", on motion of Mr. Merrill the rules were suspended and the House concurred in and adopted the S. J. R. 18 set out in the above and foregoing "Message from the Senate".

On January 17, 1967, both houses of the Legislature of Alabama passed **Act No. 18** or **Senate Joint Resolution 18**. This Resolution was approved by **Governor Lurleen Wallace on January 23, 1967 at 6:58 PM**. This resolution was sponsored by Senator Jimmy Clark from Eufaula, Alabama (20).

Senator Clark would later become a member of the House as well as Speaker of the House. This resolution concurred or approved the creation and establishment of a Joint Interim Legislative Committee comprised of two members from the Senate, appointed by the President of the Senate, and three members of the House, appointed by the Speaker of the House. Without this resolution, the Joint Interim Legislative Committee would not have been formed. **This was the first action taken by the Alabama Legislature towards establishing a school of optometry.**

Approval of the Joint Interim Legislative Committee

The charge to the Joint Interim Legislative Committee was to make inquiries and conduct surveys and studies as may be necessary to determine the need for and the feasibility of establishing in Alabama a school or college of optometry to be operated in connection with an existing state college or university.

The members of the Committee were to elect a chairman and vice-chairman from among its number. The Chairman would determine the times and places of the meetings. Committee members were not entitled to pay or receive expenses for performance of their duties. Secretarial and clerical assistance would be provided by Secretary of the Senate and Clerk of the House as may be required by the Committee.

The Resolution specified that the Committee shall make a report of their findings, conclusions and recommendations to each house of the Legislature not later than the fifth (5th) legislative day of the 1967 Regular Session (Thursday, May 11, 1967). Once the report was made the Committee was to be discharged and dissolved.

The copy of the Act of the Legislature of Alabama had been compared with the original and was certified as true and correct on January 25, 1967 by McDowell Lee Secretary of the Senate.

The Joint Interim Legislative Committee was approved during the 1967 Organizational Session. This Organizational Session preceded the Regular Legislative Session in an effort to plan and prioritize the legislative strategy for the Regular Session. It was during the Organizational Session that Senator Alton Turner, Chairman of the Joint Legislative Committee on Finance and Taxation, arranged to have Senator Jimmy Clark introduce the Act that created this committee. The Chairman of the Joint Legislative Committee on Finance and Taxation had power and prestige in the Legislature of the State of Alabama. Turner's support was considered essential by those optometrists who participated in this effort, in attaining a positive report from this Committee (1, 16-19). In fact, it is safe to say that the establishment of the school by the legislature of the State of Alabama would not have been achieved without Senator Turner's efforts.

Appointment of Members of the Joint Interim Legislative Committee

The date of the appointment of the members of the Joint Interim Legislative Committee most likely occurred shortly after Senate Joint Resolution 18 was signed. There is no record in either chamber's Journal of the appointment of Joint Interim Committee members. These appointments were customarily made in a rather informal manner and could have been by telephone, verbal or written message, or letter. The members of the Joint Interim Legislative Committee were: two senators; Senator Woodrow Albea, Anniston; Senator Jack Giles,

Huntsville; and three representatives; Representative Hugh D. Merrill, Anniston; Representative Joe Money, Birmingham; and Representative Henry L. Pennington, Huntsville. Representative Merrill was elected by the Committee as Chairman. **The appointment of the members of this committee was the second action taken in the establishment of a school of optometry.**

Representative Merrill asked Dr. Coshatt how the Committee should proceed and requested that the ALOA provide information of need so the Joint Interim Legislative Committee could respond to the charge given the Committee (17-19). The manpower study would be underway within the next several weeks. A study of this nature would be critical in establishing the viability of such a program and for the Joint Interim Legislative Committee to approve a school of optometry. As such it was important the study be conducted by a credible person or institution. (This manpower (workforce) report was submitted on August 15, 1967, instead of May, as originally planned).

MANPOWER (WORKFORCE) STUDY FOR OPTOMETRISTS

In spite of the political position the ALOA was in, it was essential to establish a need for optometrists in the State of Alabama. As originally conceived, this school would be established on the basis of need for optometrists serving only the State of Alabama. Dr. Peters has noted that the UAB School of Optometry began participating in the Southern Regional Educational Board (SREB) out-of-state contract program in 1973 (1). Dr. David Matthews, President of the University of Alabama, served on the SREB Executive Committee and assisted in facilitating the relationship between SREB and UABSO. The UABSO began providing 15 contract places in each entering class in 1975 (1). It was in this manner that the UABSO quickly evolved into a regional program.

Establishing a Need for Optometrists in Alabama

Following the appointment of the Joint Interim Legislative Committee and its members, Drs. Springer and Overton once again called on Dr. Volker for advice (it is not clear if Drs. Snellgrove and Coshatt attended this meeting). There is no mention of an appointment date or time for any of the four optometrists on Dr. Volker's January or February 1967 calendar. It is possible this matter was discussed, if only briefly, during the January 8, 1967 meeting, but it seems more likely they either met with Dr. Volker at some time after the Joint Interim Legislative Committee was appointed or, perhaps, by telephone. Regardless of the type of meeting, Dr. Volker suggested to them that the ALOA may want to find someone to conduct a professional manpower study. When asked who he would recommend, Dr. Volker suggested Dr. Sheldon Schaffer the prominent research analyst at Southern Research Institute (SRI). At that time Dr. Schaffer was Head of the Industrial Economics Section of SRI and experienced in research on community and social issues (18). The goal of the study would be to determine the need for a

school of optometry based on the number of current eye care providers, the distribution and age of these providers, and the demographics of the population of the State of Alabama.

Drs. Springer and Overton arranged a dinner meeting with Dr. Schaffer at Gulas' Restaurant on Highway 78 near Eastwood Mall in Birmingham. The date of this meeting could not be determined either, but it seems likely to have taken place shortly after the initial contact with Dr. Schaffer. During this meeting Dr. Schaffer agreed to perform a manpower survey by reviewing the optometric literature and other available information sources such as that available at the American Optometric Association Library and in Federal government literature. Dr. Schaffer believed that this was all he could accomplish in the time period thought to be available. At the time of their meeting with Dr. Schaffer, it was thought there would be a three-month time period before the Joint Interim Legislative Committee would need the report, since the Regular Legislative Session began May 1, 1967.

Dr. Schaffer initially reported the cost for such a survey would be \$5,000. Drs. Springer and Overton reported the results of the meeting and cost of the survey to the ALOA and they were instructed to proceed with the project. Within a short period of time the study was expanded to include other southern states and the entire \$15,000 cost of the project was funded by the Southern Council of Optometrists. The concept of the study was also supported by the American Optometric Association (14, 19).

This study was entitled, "The Demand for and Supply of Professional Refractive Eye-Care Services in Alabama and Surrounding States" (14, 21). This report included a significant amount of information but the two primary two recommendations were:

- 1.) "The establishment of training facilities in Alabama that can graduate at least two dozen optometrists per year, the expansion of present ophthalmology residencies in Alabama so that they can graduate about a dozen additional ophthalmologists per year, or the establishment or expansion of programs for both optometrists and ophthalmologists, respectively"; and
- 2.) "The increase in the average patient load, especially among optometrists, through the use of sub-professional specialization and division of labor".

Notice from Senator Turner to ALOA Leaders

The Legal/Legislative Committee of the ALOA remained busy during the time before and especially after the formation of the Joint Interim Legislative Committee. Not only was Dr. Schaffer's survey ongoing, but the leaders of the ALOA spent this time monitoring the activities of the legislature. However, Senator Turner had made it very clear he would handle the matter and the ALOA leadership should leave it to him (17). It was essential that Senator Turner not have any undue interference, no matter how well intended, since he knew the legislative

process he needed to follow to be successful. Senator Turner's comments were intended to moderate some attempts by optometric leaders from becoming more involved in the process than he thought wise. It appears that Senator Turner knew the legislative process he needed to follow but wanted to keep it confidential for fear it would get out of control. This no doubt created some anxiety among a few optometrists. Senator Turner even found it necessary, on occasion, to make clear to other legislators this was his legislation and they were to not interfere in the process (17).

Developing Support for UAB as the Location for a School of Optometry

On the local level Dr. Eleazer C. Overton of Fairfield, Alabama remained very busy. Dr. Overton, usually referred as "Doc", was an elected member of the Birmingham City Council and Chairman of the Council's Education Policy Committee. In a remarkably short period of time he obtained a letter of support from Mayor Albert Boutwell, 30 or more resolutions from all the governing bodies, including city councils and the county commission, requesting that if it was found feasible by the legislature to establish a school of optometry in Alabama, the new school should be located in the Medical Center. A partial list of bodies that provided such resolutions besides the Birmingham City Council and the Jefferson County Commission, were: the Bessemer City Commission, the Homewood City Council, the Birmingham Downtown Action Committee, the Greater Birmingham Area Chamber of Commerce, the Bessemer Chamber of Commerce, the Ensley Chamber of Commerce, and a positive editorial in the Birmingham News. In addition, the Mobile Board of Commissioners passed a similarly worded resolution that urged the Legislature to establish a school of optometry at the University of Alabama, Birmingham and/or the University of South Alabama in Mobile (14, 19).

Once it became known that a new school was under consideration, several universities expressed interest in having the school located on their campus. In addition to the University of South Alabama, other universities such as Jacksonville State University and Auburn University had also expressed similar interest (14, 19). It was clear the ALOA wanted to have a school of optometry in an academic health center such as existed at UAB. The placement of a school of optometry at the University of Alabama Medical Center would not only be the first time an optometry school was, from its inception, an integral part of an academic medical center but enjoy many other advantages as well.

JOINT INTERIM LEGISLATIVE COMMITTEE HEARINGS

Testimony of the ALOA

On May 9 and May 19, 1967 the Joint Interim Legislative Committee held hearings concerning the establishment of a school of optometry (20). The protocol of the hearings was that

optometry would present their case first, followed by the medicine/ophthalmology opposition, and then a rebuttal by optometry.

As President of the ALOA, Dr. Don Snellgrove testified on behalf of the Association (17, 18). Dr. Snellgrove was briefed by Senator Turner on the protocol of the hearing. The opposition's testimony centered on the issues of the educational qualifications of optometrists, that the optometrists dispensed glasses as well as prescribing them, and that there were no other university schools of optometry. Dr. Snellgrove's rebuttal testimony served to correct the matter of university affiliated schools or colleges of optometry (there were five such schools or colleges of optometry at the time of this testimony) and he had collected the records of physicians, lawyers, judges, dentists, and other patients and their families that had received optometric care. This was an effort to demonstrate that these individuals believed optometrists were qualified to be entrusted with caring for their families (17). Of course, privacy of health records would prevent this in contemporary times.

As had been expected, the establishment of the Joint Interim Legislative Committee prompted a vigorous effort by the Alabama ophthalmologists to defeat the establishment of such a program. Thus, a major letter-writing campaign to newspapers, the administration of the University of Alabama Medical Center, University of Alabama Board of Trustees, individual members of the Legislature, Governor Lurleen Wallace, and Lt. Governor Albert Brewer had begun (1, 14).

Memorandum to Administrative Leaders of UAB

In a May 4, 1967 memorandum to Drs. Hill, McCallum, Barker, Dunbar and Brann (with a copy to Dr. Stephen Kelly, Chairman of the Department of Ophthalmology), Dr. Volker reiterated his concern with an article that appeared in the *Birmingham News* relative to a school of optometry. The article had quoted Dr. Overton and stated: "Overton said the University of Alabama has given assurance that it would favorably receive efforts by the optometry profession and the Legislature to establish a school, but that the efforts must be initiated by the profession, not the university." Dr. Volker stated he knew this article had been of concern to many members of the faculty and the following comments seem pertinent:

- (1) That the University of Alabama is well aware that it is a legislative prerogative to establish new educational programs.
- (2) That the United States Public Health Service (USPHS) has presented data which support the case for a school of optometry in the southeastern United States.
- (3) That Public Law 88-129 provides matching funds for the construction of schools of optometry, gives financial support to their educational programs, and provides loans to their students.

- (4) The University of Alabama Medical Center, Long Range Plan blueprints our needs and establishes the priorities. These needs are also attested to in appropriations requests to the present legislature.
- (5) The aforementioned documents do not mention optometry but stress (a) increased support for existing programs, (b) construction funds for the College of Nursing, (c) construction and operating funds for the College of General Studies, and (d) required resources for expanding our programs in the area of Public Health.

If you have any questions in this matter, please let me know. The memorandum was signed J. F. Volker, Vice President for Birmingham Affairs and Director of the Medical Center (22).

Dr. Volker's response to Representative Merrill

Perhaps in response to a Committee request or, because of other reasons, on May 22, 1967, Dr. Volker stated the University's position in a letter addressed to State Representative Hugh Merrill, Chairman of the Joint Interim Legislative Committee. It repeated some of the points made in the above memorandum to UAB administrators.

Dr. Volker's letter to Representative Merrill states "this will reiterate our recent conversation. I believe my comments on a School of Optometry may be summarized as follows:

- 1.) That the University of Alabama is well aware that it is a legislative prerogative to establish new educational programs.
- 2.) Whenever, a program in the health sciences has been assigned to it by legislative action, it has made every effort to provide adequate leadership. Examples of this attitude are the Medical College, School of Dentistry, and School of Nursing.
- 3.) If a School of Optometry is created by legislative action and this University is asked to operate it, a similar degree of cooperation can be anticipated.
- 4.) The University of Alabama Medical Center Long Range Plan, a copy of which is attached, details our best estimates of current needs and their priorities. These matters are also attested in appropriations requests to the present Legislature.
- 5.) The aforementioned documents stress (a) increased support for existing programs, (b) construction funds for the College of Nursing, (c) construction and operating funds for the College of General Studies, the principal resource for education and training in the allied health sciences, and (d) required resources for expanding our programs in the area of public health".

This letter was signed, Very truly yours, J. F. Volker, Vice President for Health Affairs, University of Alabama, Birmingham (23).

Clearly the letter to Representative Merrill is different in several respects from that sent to the UAB Administrators, but it demonstrates a commitment to have a school of optometry that aspires to excellence.

It is interesting to note that one of the goals mentioned by Dr. Volker in item five was resources for expanding programs in the area of public health. After the UAB School of Optometry was established, Dr. Volker supposedly told several individuals, “he had asked for a school of public health but in their wisdom the Legislature gave him a school of optometry. This clever retort may have actually held a grain of truth based on the Long Range Plans for the University.

MEDICAL OPPOSITION TO A SCHOOL OF OPTOMETRY

As was anticipated the establishment of the Joint Interim Legislative Committee in January 1967 set in motion a major effort by the medical association, especially by the Alabama Academy of Ophthalmology, to defeat this action.

Dr. John H. Nelson’s Testimony

In fact, as early as the attempts to pass the original optometry practice act, ophthalmologists had opposed optometry in the legislative process. On July 9, 1965, Dr. John Hall Nelson of Tuscaloosa, Alabama had testified before the Alabama Legislature related to the practice of optometry. In the newspaper article that appeared, he had identified himself as a faculty member with an appointment in the Medical College of Alabama. Dr. Volker’s letter of July 9, 1965 to Drs. Charles Grant and Stephen Kelly, Co-Chairs of the Department of Ophthalmology, cautioned that when faculty testify it was wise to divorce personal opinions from University pronouncements (24). In other words, Dr. Nelson did not speak on behalf of the University.

Dr. S. Richardson Hill’s Testimony

On Friday, May 19, 1967 Dr. S. Richardson Hill testified before the Joint Interim Legislative Committee (25). On Monday, May 22, 1967, Dr. Hill, Dean of the Medical College of Alabama, sent a letter to Senator Hugh Merrill, responding to his request for his comments regarding the position of the Department of Ophthalmology. This was the same message Dr. Hill provided in testimony before the Joint Interim Legislative Committee the prior Friday. Dr. Hill was of the opinion the Department of Ophthalmology was inadequately funded and did not have any full-time faculty. Therefore, he thought it unwise to appropriate funds for the operation of a school of optometry at a time the only Department of Ophthalmology in the State was inadequately staffed because of insufficient operating funds. Furthermore, unless new revenues were obtained for higher education, adequate funding for the Department of Ophthalmology would most likely not be forthcoming. If additional funding for the Department was provided it could, within two years, develop sufficient personnel and programs in the Department to provide the

necessary training for ophthalmologists in this State (25). It was evident that Dr. Hill considered it his duty to speak on behalf of one of the School of Medicine's departments.

Medical Organization's Testimony

The Medical Association of the State of Alabama (MASA), the Alabama Academy of Ophthalmology and Otolaryngology, the Alabama Academy of Ophthalmology, the Birmingham Eye, Ear, Nose and Throat Association and the Association of Dispensing Opticians all opposed this proposal (14, 19). Initial opposition by the ophthalmologists was led by Drs. Joseph Dixon, Birmingham; John Hall Nelson, Tuscaloosa; and Louis Johnson, Dothan. Others from within and outside the State further confounded the issue (14, 26). An attempt to determine the total number of individual opposition cards/letters deposited in or referring to this legislation in the UAB Archives, was estimated to be between 700 and 800 written responses opposing legislation.

Since the 1967 legislative action there had been a flow of petitions and resolutions opposing the action to the members of the medical community throughout the State. The publications of MASA had been used in a rather sensational manner, and one demeaning to the profession of optometry, but ultimately did not reflect positively on the medical association. In addition, letters were written to the University's Board of Trustees deprecating Dr. Volker's stature and character (14).

Summary of Events from the Perspective of the UAMC Administration

Margaret D. "Peggy" Crosswhite, was an administrative assistant to Dr. Volker. Ms. Crosswhite was assigned by Dr. Volker to coordinate the activities of the University with regard to the optometry school. In her summary of events leading to the establishment of the school of optometry, she characterized the pattern as one of opposition to a legislative action. This opposition had come from a minority within the medical profession, even continuing after the legislation had been approved. However, the University Administration was aware of only an affirmative public response. The opposition continued in the form of refusal to instruct optometry students and an attempt to reduce the profession of optometry to one of technician status. In addition, she noted the current effort was directed toward tearing down the reputation of the University of Alabama Medical Center (14).

The basic points of opposition were that:

- 1.) Because the optometrist does not have a medical degree he is not qualified to determine the presence of disease
- 2.) There is a greater need for ophthalmologists than optometrists

- 3.) The presence of a school of optometry in the Medical Center or within the University of Alabama in Birmingham would not increase the effectiveness or stature of the Medical Center

Instead of seeking factual information or a rational discussion of their points of view, Ms. Crosswhite noted, that those with these opinions had smothered them by ambiguous, misleading, and unsupported statements. Usually these were expressed in hastily drawn up petitions, resolutions, or letters to the editor. She also noted that unfortunately no documentation of grievances or formal proposals for development of the Department of Ophthalmology was received. The University Administration had offered to provide factual information and to discuss the problem with the ophthalmologists but these offers were ignored (14). There are copies of well in excess of 700 postcards or letters in the UAB Archives that were sent to Drs. Volker or Hill, medical organizations, legislators or the University of Alabama, Board of Trustees from physicians and others opposing the establishment of a school of optometry (26). The exact number of postcards or letters will likely never be known but suffice it to say there were a significant number not including several petitions, resolutions, etc. Interestingly there were perhaps ten pieces of correspondence in this collection that favored an optometry program.

A more complete description of the atmosphere in the gallery on days of legislative action is provided in **Appendix II**.

REPORT OF THE JOINT INTERIM LEGISLATIVE COMMITTEE

On June 23, 1967, at 2:10 PM, the Joint Interim Legislative Committee made their report during the 1967 Regular Session of the Alabama Legislature. Their report was: "We the Committee appointed to investigate the feasibility of locating a school of optometry in Alabama, beg leave to report as follows: We find that there is need for a school of optometry to be located in the State of Alabama. We therefore recommend that such a school be located at an existing state university." **This approval was the third action taken in the establishment of the school of optometry.** This approval made the passage of a specific act unnecessary, if funding could be included in the State of Alabama Educational Appropriations Bill.

Legislative Action to Establish a School of Optometry

There are several ways in which state-supported, specialty-education schools of higher learning may be created in Alabama (26,27). Clearly, the way utilized in this situation, was not a process with which many were familiar. The first manner in which a new program may be approved is by traditional act, or statute, enacted by the State Legislature. For example, this is the manner in which the University of Alabama Schools of Medicine, Dentistry and Nursing (1947-49) and later Social Work (1965) were established. The Medical College of Alabama was actually

established in 1859 by Josiah Knott, M.D., without legislative approval. The next year the school received a state appropriation of \$50,000. It failed to grow with the onset of the Civil War and the post-war economy that followed for many years. In 1922, the School of Medicine was moved to the University of Alabama in Tuscaloosa, AL and reduced from a four-year to a two-year program. In 1943, the Alabama Legislature passed a law returning the school to its former four-year status. In 1945, the program moved to Birmingham to the University of Alabama Health Center campus. This campus included the Jefferson and Hillman Hospitals (28). However, there are many such programs throughout the State that came into being without specific statutes (26, 27). Usually a specific act is necessary when a new institution is established such as the University of South Alabama. Interestingly UAB's College of General Studies was funded by appropriations.

Summary of Actions Provided by Senator Turner

The steps taken to authorize and fund the UAB School of Optometry were summarized after the beginning of the School by Senator Turner. This response was in answer to a request made at the federal level. On September 18, 1970, Senator Alton Turner stated in a letter "that it had come to his attention that a small vocal group of ophthalmologists have attempted to cloud the issues in connection with the new school of optometry at the University of Alabama in Birmingham and thereby prevent federal participation in capital and other expenditures at this school". Senator Turner provided a detailed explanation of the steps taken by the Alabama Legislature in establishing a School of Optometry. His response was sent to the Honorable Roger Egeberg, Under-Secretary for Health, Department of Health, Education and Welfare (HEW), Washington, D. C. (29).

In this letter, Senator Turner specifically cites Senate Joint Resolution 18 which was created on January 23, 1967 during the Organizational Session of the Alabama Legislature, the report of the Committee on June 23, 1967, Act No. 383, which was the appropriation bill for education, passed during the Regular Session of the 1967 Alabama Legislature in which funds (\$50,000 for each of two years) for initial study toward the establishment of a School of Optometry were included, and finally Act No. 91, the appropriation bill for education, given to the Board of Trustees of the University of Alabama for the School of Optometry "for operation and maintenance". The amount for the first year (1969-70) was \$200,000 and the second year (1970-71) was \$300,000. This Act was approved by Governor Albert Brewer. Senator Turner concludes with the statement "it was and is the intent of the Alabama Legislature that we build one of the finest schools of optometry in the United States at the Medical Center in Birmingham". Senator Turner does not mention a separate bill for the creation of a school of optometry (29).

Even with the passage and approval of the 1969 Appropriations Bill that included funding for a School of Optometry, the opposition continued. A reference specifically related to this issue was raised first when a request was made to Dr. Peters, on September 2, 1970, the year after the beginning of the optometry school. This request was sent by Mr. Henry Cram of the Health Manpower Training Division of the National Institutes of Health. The request was for Dr. Peters to forward to Dr. Harry Bruce's office information pertaining to the legislative history of the School of Optometry of the University of Alabama in Birmingham. It seems that some parties had raised a question as to whether the School of Optometry was a legally authorized division of the University of Alabama in Birmingham. There is not a copy of this request in letter form available in the UAB Archives, but it is mentioned in Mr. White's cover letter to Dr. Harry Bruce dated September 29, 1970 (30).

In an opinion expressed by James A. White, III, Counsel for the University of Alabama System, to Dr. Harry Bruce, Director of Education Research Facilities, National Institutes of Health, also dated September 29, 1970, an answer was provided to the request for an opinion regarding the matter of if the School of Optometry at the University of Alabama in Birmingham was lawfully constituted. It had been suggested that the Board of Trustees of the University of Alabama was without authority to establish such a School of Optometry in the absence of a specific act of the Legislature of Alabama. White stated "there is no constitutional or statutory requirement that specific schools or departments of the University of Alabama be established by legislative act. It is clearly stated in the law (appropriate sections referenced) the Board of Trustees has general supervisory powers over the University, and that these powers include the power of establishing schools and departments within the University. Although no legislative act was required to establish the School of Optometry, there is ample legislative history indicating the approval of the Legislature of Alabama for the School of Optometry" (31).

There is some confusion regarding the matter of a separate bill or act to establish the School of Optometry. Dr. Don Snellgrove remembers a bill on the calendar of the 1967 Regular Session calendar. He was concerned that the bill was near the bottom of the calendar and time would expire before it was enacted. Senator Turner informed Dr. Snellgrove that everything was fine and he should not worry about the bill. With this reassurance, Dr. Snellgrove returned to his home in Greenville, Alabama (17). This legislation involved a procedure that many did not understand.

Separate Bill to Establish a School of Optometry

A search of the Journals of the House and Senate for 1967 did not reveal a separate bill that was introduced for the establishment of a School of Optometry. This was confirmed in two ways. First, in 2008 Anita Smith, an historian familiar with the UAB Medical Center schools, and Peggy Striplin, the Senior Director of Development and Alumni Affairs of the UAB School of

Optometry, were accompanied by the UAB Archivist, Tim Pennycuff, on a visit to the State of Alabama Archives. With the guidance of Norwood Durr of the State of Alabama Archives, they searched the Archives for a separate bill establishing a School of Optometry but were unable to locate one (27).

Secondly, in 2011 the staff at the Legislative Reference Service, (Frank Caskey and Carma Marks) by authorization of Representative Jim McClendon, and at my request, also searched these Journals and did not find a separate bill. Therefore, it seems most likely that when Senator Turner called Dr. Snellgrove to inform him “it passed” the “it” was referring to the 1967 Appropriations Bill for Education as opposed to a separate bill for a School of Optometry. This is later corroborated in an interview with Governor Brewer.

By all accounts Senator Turner was a master politician, legislator, and an excellent parliamentarian. As Chairman of the Senate Committee on Finance and Taxation and the Joint Senate and House Appropriations Committee he approved everything that went into the appropriations bill. As Chairman he would also be a member of any conference committee. It was customary for the presiding officer of each chamber to appoint the Chairman of the Finance and Taxation Committee along with the sponsor of the legislation to the conference committee. In this case Senator Turner was both. In addition, the other members of the conference committee were known to be friendly to Senator Turner.

A second manner for the establishment of such programs is in what has been termed legislative “evolvments” birthed by resolutions enacted through committees of the State Legislature (26). Clearly this is the route by which the need for a school of optometry in the State of Alabama was established. However, the recommendation by the committee that such a school be located at an existing state university did not provide a funding source.

A third option is that components of or addendums to budgets of state supported institutions (such as state-supported universities like the University of Alabama) include funding for such a new program. As will be shown, this was the manner in which the UAB School of Optometry received its initial funding (27).

The fourth option is that a program can be begun by Executive Order of the Governor. It is clear that both Governors Lurleen and George Wallace and Governor Albert Brewer supported the establishment of a school of optometry but the school was not begun by way of an Executive Order (27).

By all accounts the UAB School of Optometry was established by recommendation from the Joint Interim Legislative Committee Report and moved directly to include initial funding in the educational appropriations act for 1967 and additional support from the educational appropriations act and general fund budgets in 1969 (27).

EDUCATIONAL APPROPRIATION FUNDING FOR A SCHOOL OF OPTOMETRY – 1967

Actions of the Alabama Legislature

The actions of the Alabama Legislature were many and somewhat complex as regards initial funding for the school of optometry. A condensed version is presented in this chapter of the actions of the House and Senate. The specific actions referred to in this section will primarily be those relating to the introduction of, or actions pertaining to, bills that would provide funding for a school of optometry. The other actions will be in summary form.

There was a **Special Session held in 1967** that preceded the Regular Session and began on Thursday, March 2, 1967 and ended on Monday, May 1, 1967. However, this session did not include any items related to optometry or the funding of a school of optometry.

The information presented here is from the Journals of the House and Senate of the State of Alabama, for the **Regular Session of 1967**. However, what is not completely known are the many discussions held and actions taken by those individuals and legislators involved in this process. It is clear that Senator Alton L. Turner played a significant role in the eventual outcome of the Appropriations Bill, H. 24 and the establishment of a school of optometry through this and subsequent bills and the legislative process.

The **Regular Session of 1967** consisted of 36 days from Tuesday, May 2, 1967 until Thursday, August 31, 1967. House bill 24, if passed, would, once approved by the Governor as Act No. 383, make annual appropriations for study of the necessity for a school of optometry in Alabama. Act 383 was to make annual appropriations for the support, maintenance and development of public education in Alabama for each of the fiscal years 1968 and 1969.

House of Representatives

The annual appropriations bill was introduced as H. 24 by Representative Charles “Pete” Mathews on the First Day of the Regular Session, Tuesday, May 2, 1967 in the House Committee on Ways and Means. As H. 24 was originally introduced, under Section 15, Part B, The University of Alabama Medical Center, it did not include an appropriation for a school of optometry. However, this was the legislation that must contain such language if a school of optometry were to be established and funded through an appropriation.

On Thursday, June 29, 1967, on the 15th day of the Regular Session, H. 24 (with substitute) was among those bills under the heading “Bills on Second Reading”. Mr. Mathews, Chairman of the House Ways and Means Committee, reported that in session the Committee had acted on several bills and ordered some returned to the House with a favorable report, with substitute,

and they were read a second time and placed on the calendar. Among these bills, was H. 24, (with substitute).

On Tuesday, July 11, 1967, the 17th day of the Regular Session, under the heading of “Motion to Suspend Rules Lost”, Representative Mathews had made a motion to suspend the rules in order to take up for immediate consideration the third reading of 16 House Bills, among which was H. 24. The vote on suspension was lost, Yeas 19; Nays 55. This meant the business of the House would continue.

On Thursday, July 13, 1967, the 18th Day of the Regular Session, H. 24 (with substitute) was taken up. This bill would make available appropriations from the Alabama Special Educational Trust Fund for fiscal years 1968 and 1969. The question was upon the adoption of the substitute bill reported by the Standing Committee on Ways and Means. Again, the Ways and Means Committee substitute did not include funding for a school of optometry. On that same day there was a “Motion to Postpone H. 24, and Pending Substitute”. Mr. Turnham moved that further consideration of the bill H. 24, and pending substitute, be postponed until the 20th legislative day. On the motion of Mr. Ellis, the House voted to adjourn until Tuesday, July 18, 1967, at 2:00 P. M. The vote was, Yeas 46; Nays 44.

On Tuesday, July 18, 1967, the 19th Day of the Regular Session, under the heading of “Unfinished Business”, the House proceeded to the consideration of “Unfinished Business” and the bill H. 24. The question was upon the adoption of the substitute reported by the House Standing Committee on Ways and Means, said committee substitute being as follows (which was H. B. 24, with substitute). The motion of Representative Turnham to lay on the table the above and foregoing substitute was lost. The vote was, Yeas 40; Nays 54. And the Committee’s substitute was adopted, Yeas 66; Nays 20.

Next, Representative Turnham offered another substitute for the bill H. 24, as amended. Likewise, it did not include any funding for a school of optometry. On the motion of Representative Mathews, the motion of Representative Ellis to postpone further consideration of the bill H. 24, as amended, and pending substitute, until the next legislative day was laid upon the table. The vote was, Yeas 50; Nays 46. Then, on motion of Representative Mathews, the substitute offered by Mr. Turnham to the bill, H. 24 as amended, was laid upon the table. The vote was Yeas 59; Nays 38. And said bill, H. 24, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment. The vote was, **Yeas 91; Nays 5.**

Senate

There were a total of 62 specific actions taken by the Senate on H. 24. Twenty-two of these actions occurred on the first three days the Senate met preceding Wednesday, August 23, 1967.

On Tuesday, July 18, 1967, the 19th Day of the Regular Session, under the heading “Message from the House” the President of the Senate was informed the House had originated and passed the Bill, H. 24, and ordered the same sent forthwith to the Senate without engrossment. This bill had been introduced by Representative Mathews and set out in the foregoing “Message from the House”, was read one time and referred to the appropriate Standing Committee on Finance and Taxation. This was the first time H. 24 was acted on by the Senate.

Thursday, July 27, 1967, the 24th Day of the Regular Session, in “Reports of Committees”, Senator Turner, Chairman of the Standing Committee on Finance and Taxation, reported the said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to wit: H. 24 sent from the House and sponsored by Representative Mathews (with substitute) (with amendment). The vote was, Yeas 25; Nays 0. Funding for a school of optometry was not mentioned.

On Thursday, August 17, 1967, the 32nd Day of the Regular Session, in the Senate the Bill, H. 24 was taken up. The Standing Committee on Finance and Taxation reported a substitute for the Bill, H. B. 24, to wit:” Substitute for H. B. 24 was introduced. This substitute bill from the Standing Committee on Finance and Taxation did for the first time include in Section 15, Part B. Board of Trustees of the University of Alabama, Item 4. The University of Alabama Medical Center, funding in the amount of \$50,000 each year for a school of optometry for fiscal years 1968 and 1969. These funds were for the initial study required toward the establishment of a school of optometry and for operation and maintenance of such school. Ultimately this Substitute for H. 24 did not pass.

Next, 18 more specific actions were offered. First, the Standing Committee on Finance and Taxation also reported an amendment to the substitute for the Bill, H. B. 24, which was adopted. These amendments were related to financial changes of several Sections but unrelated to the school of optometry funding. Then seven additional amendments were offered, of which only one was adopted, the others being tabled on motion of Mr. Turner, or lost on vote. None of these amendments involved funding for a school of optometry. Debate continued on Tuesday, August 22, 1967 on the 33rd Day of the Regular Session.

On Wednesday, August 23, 1967, on the 34th Day of the Regular Session, the Senate met and under the heading of “Unfinished Business” proceeded to further consider the Bill H. 24. Two more amendments were voted on in the morning session, neither involved optometry. Mr. Turner then offered a substitute for the Bill, H. 24, which did not contain funding for a school of optometry. The morning session was then recessed.

With commencement of the afternoon session under the heading of "Bills on Third Reading" Mr. Turner's substitute for the Bill, H. B. 24 was adopted after being amended by Mr. Torbert. The substitute offered by Mr. Turner for the Committee Substitute passed without an appropriation for the school of optometry.

There were a total of 34 actions taken by the Senate during this afternoon session, many addressing the budgets of a university or a particular college in a university. Many of these actions were tabled on motion of Mr. Turner. After 18 such actions, the Senate received a message from the House.

On Wednesday, August 23, 1967, the 34th Day of the Regular Session, the Senate, and said Bill H. 24, as thus amended by the substitute, was then read a third time at length and passed. The vote was, Yeas 25; Nays 7. Next, under the heading "Motion to Reconsider" Mr. Turner moved the Senate reconsider the vote by which the Bill, H. 24, as amended was passed, and further moved that his motion to reconsider be laid on the table; the motion to reconsider prevailed.

Message from the House requesting a Committee of Conference

After 30 such actions, on the afternoon of August 23, 1967, the Senate received a message from the House that the House had non-concurred in the Senate amendment to the bill and requested a Committee of Conference. (Not sure of the specific date when the House non-concurred but may have been August 23). Mr. Cooper then moved the Senate accede to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 24. The President and Presiding Officer of the Senate, Lt. Governor Albert Brewer appointed as Committee on the part of the Senate, Messrs. Gilmore, Giles and Turner.

House of Representatives

On Wednesday, August 30, 1967, the 35th Day of the Regular Session, under the heading "Message from the Senate" the House was informed the Senate had amended as therein shown and, as amended, had passed House Bill, H. 24, and returns same herewith to the House. On motion of Representative Hugh Merrill, the House non-concurred in the Senate amendment to the Bill, H. 24, said Senate amendment as follows: (this appropriations bill was essentially the same as what had been offered before). However, there was one major difference in that in Section 15, Part B., "The University of Alabama Medical Center" there was an item 4 stating "For the School of Optometry: For initial study required toward the establishment of a School of Optometry and for operation and maintenance of such school". This funding was for the fiscal years 1968 and 1969. On motion of Representative Merrill, a Committee of Conference was requested, on the disagreement of the two Houses on the Senate amendment to bill, H. 24.

The Speaker of the House, Rankin Fite, named as the Committee of Conference on the part of the House, Messrs. Merrill, Smith (C) and Mathews.

Senate

On Wednesday, August 30, 1967, the 35th Day of the Regular Session, the Senate had turned its attention to the "Message from the House". On motion of Mr. Cooper, on this same day, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. 24. The President and Presiding Officer of the Senate, Lt. Governor Albert Brewer appointed as Committee members, on the part of the Senate, Messrs. Gilmore, Giles and Turner.

Committee on Conference

On Thursday, August 31, 1967, the 36th Day of the Regular Session, under the heading of "Report of Committee on Conference, Conference Committee Substitute on House Bill 24", the report read: We the Committee of Conference appointed to reconcile the difference between the two Houses concerning the bill, H. 24, have met and considered the matter referred and beg leave to report as follows: We recommend that the following substitute for the bill be adopted by both houses and the bill as amended by the substitute be passed".

The conferees for the House were Representatives Charles (Pete) Mathews, Hugh D. Merrill, and Coy Smith and the conferees for the Senate were Alton L. Turner, Jack Giles, and Eddie H. Gilmore. It seems clear that Senator Turner was of some influence in the appointment of these conferees and the outcome of the Conference Committee Report.

Senate Receives Message from the House

On Thursday, August 31, 1967, the 36th Day of the Regular Session, in a "Message from the House" the President of the Senate was informed the House had concurred in and adopted the Report of the Committee on Conference, on the Bill, H. 24. In the "Report of the Committee on Conference" on House Bill 24, the Committee recommended that the substitute for the bill proposed by the Committee on Conference be adopted by both houses and that the bill as amended by the substitute be passed. In this "Substitute for H. 24" as recommended by the Committee on Conference funding for a school of optometry was restored. The report of the Committee on Conference was again read at length and passed by the House. The vote was, **Yeas 90; Nays 0.**

Under the heading "Unanimous Consent Granted" Representative Smith (C) requested unanimous consent to have the House Journal show that he was temporarily out of the House

when the bill, H. 24 was up for passage. Representative Smith requested that the Journal show that had he been present, he would have voted, "Yea" and it was so granted.

Senate

The Senate then received a message from the House, that the House had concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses, on the Senate amendment to the bill, H. 24. Under the heading of "The Report of Committee of Conference on House Bill 24", the Committee appointed to reconcile the differences between the two houses concerning this bill had met and considered the matter referred and beg leave to report as follows: We recommend that the following substitute for the bill be adopted by both houses and that the bill as amended by the substitute be passed. On motion of Mr. Turner, the Senate concurred in and adopted the Report of the Committee on Conference on the disagreement of the two houses on the Senate amendment to bill, 24 the title of which said Conference Report were set out in the message from the House. The vote on the report was, **Yeas 29, Nays 2.**

And said bill, H. 24, as thus amended by the Conference Report, was again read at length and passed, **Yeas 29, Nays 2.**

The bill, H. 24 was delivered to Governor Lurleen Wallace at 10:15 PM on August 31, 1967, the 36th, and last day of the Regular Session.

Legislation Approved for Funding of UAB School of Optometry

With this recommendation, the Alabama Legislature, included the first funding for a school of optometry, as part of the appropriations bill for education. **Act 383 was approved by Governor Lurleen Wallace on September 6, 1967.** This Act appropriated \$50,000 for the biennium 1967-68 and 1968-69 for the initial feasibility study required toward the establishment of a School of Optometry to be located at the University of Alabama Medical Center in Birmingham and for the operation and maintenance of such a school. **The approval for appropriation of funding for a school of optometry was the fourth such action taken in the establishment of the program.** Of the \$100,000 appropriated, \$50,000 was for the fiscal year ending September 30, 1968 and \$50,000 for the fiscal year ending September 30, 1969 (32).

Additional Laws Passed in 1967 included Four Others Related to Optometry

Senate Bill 182 - This bill insured freedom of choice to beneficiaries of medical insurance policies providing visual care benefits.

Senate Bill 184 – This bill gave to the State Board of Examiners authority to file suits in the name of the Board to enjoin unlawful practice.

Senate Bill 185 – Insured freedom of choice in all public assistance programs where visual care was included in the benefits.

Senate Bill 233 – This bill increased license renewal fees from \$12 to \$112 to help support the School of Optometry in Birmingham (32).

CHANGE IN THE ALABAMA BOARD OF OPTOMETRY RULES

Of the above four laws enacted by the legislature, the most important was the increase in license fees. It would not only raise funds to support the mission of the School of Optometry it would demonstrate to the legislature the willingness of the state’s optometrists to provide additional support for this school. The following describes the actions of the legislature in passing this bill.

Increase in License Renewal Fees

During this same time period, the ALOA had also put forth legislation to increase the license renewal fee for optometrists from \$12.00 to \$112.00 each year. The rationale behind this increase was the provision that those funds not required for operation of the Alabama State Board of Optometry would be deposited in a dedicated fund for the development of optometric education, including continuing education. Dr. Frank Rose, President of the University of Alabama at that time, established the dedicated fund within the University. This was a popular piece of legislation – the optometrists providing their own educational development (1). In an effort to avoid confusing the already complex actions of the Alabama Legislature relative to H. B. 24, the legislation detailed in this section was related to the increase in the amount charged for renewal of license fees, known as Senate Bill, S. 381. (This bill was referred to as Senate Bill 233 in the President’s message to the ALOA membership).

Senate

On Tuesday, July 11, 1967, the 17th Day of the Regular Session, under the heading of “Reports of Committees” Senator Turner introduced Senate Bill, S. 381. The purpose was to amend the Code of Alabama 1940, Title 46, Sections 195 and 205, relating to the state board of optometry, the renewal of licenses by optometrists, and the use of the proceeds of license or registration fees. This report was under the Senate Committee on Finance and Taxation of which Senator Turner was the Chairman.

On Thursday, July 27, 1967, the 24th Day of the Regular Session, under the heading of “Reports of Committees” Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and

placed on the calendar, to-wit: Among these bills was, S. 381. To amend Code of Alabama 1940, Title 46, Sections 195 and 205, relating to the state board of optometry, the renewal of licenses by optometrists, and the use of the proceeds of license or registration fees.

On Thursday, August 10, 1967, the 30th Day of the Regular Session, under the heading “Bills on Third Reading Resumed” the Bill, S. 381 was read a third time at length and passed, and ordered sent forthwith to the House without engrossment. The vote was, **Yeas 22; Nays 0**.

House of Representatives

On Tuesday, August 22, 1967, the 33rd Day of the Regular Session, the Senate Bill, S. 381 was introduced in the House. Under the heading “Senate Message” the Senate Bills, the titles of which are set out in the above and foregoing “Message from the Senate” were severally read one time and referred to appropriate Standing Committees as follows: S. 381, State Administration.

On Wednesday, August 23, 1967, the 34th Day of the Regular Session, under the heading “Bills on Second Reading Resumed” the Senate Bill, S. 381 was read a second time. With the explanation “This bill provides for the excess funds in the hands of the Alabama State Board of Optometry at the end of the fiscal year over \$2,500.00 be paid into a special fund for a school of optometry”.

On Thursday, August 31, 1967, the 36th Day of the Regular Session, the Senate Bill, S. 381 was read at length a third time and passed. The vote was, **Yeas 80; Nays 0 (32)**.

The Senate Bill, S. 381 was delivered to the Governor on August 31, 1967 at 10:35 P. M. Senate Bill, 381 was approved as Act No. 520, on September 7, 1967 at 4:10 P. M. by Governor Lurleen Wallace.

This law continues to this day and these funds, when available, are used at the discretion of the Dean of the UAB School of Optometry for the purposes deemed necessary for the UAB School of Optometry. During this same Regular Session three more bills were enacted by the Alabama Legislature relating to the practice of optometry. These included bills ensuring freedom of choice to beneficiaries of medical insurance policies providing vision care benefits; granting the Alabama State Board of Optometry authority to file lawsuits in the name of the Board to enjoin the unlawful practice of optometry; and to ensure freedom of choice in all public assistance programs where vision care is included in the benefits (described above) (17).

THE INITIATION OF ACTIONS FOR A NEW OPTOMETRY PROGRAM

Invitation to Study Committee Members

In response to the legislative action taken on September 6, 1967 appropriating funds for initial feasibility study for a school of optometry, Dr. Volker was requested to prepare a report for the 1969 Legislature that provided specific information. He tasked Ms. Peggy Crosswhite, with the responsibility of preparing this report. Ms. Crosswhite began to coordinate activities of the University with regard to the optometry school (1, 14). She began the collection and evaluation of curriculum needs, the academic resources of the Medical Center available to support the needs of the optometry curriculum, and the approximate cost of required space and equipment. This report was to also include a start-up budget for the operation for fiscal years 1969-1970. Financial requirements for construction and operation of the UAB School of Optometry would come once the program was operational.

Subsequently, in September or October, 1967, Dr. Volker appointed a committee of faculty, administrators, and community leaders to begin to prepare the report for the Legislature (1, 14). The exact date of the appointment of the members of the Advisory Committee could not be determined. The appointment of these study committee members were, in addition to Dr. Volker Executive Vice President of Birmingham Affairs and Director of the Medical Center, as Chairman; Samuel B. Barker, Ph. D., Associate Dean, Graduate Studies; W. Paul Brann, Ph. D., Vice President, Financial Affairs, UAMC; Lowell T. Coggeshall, M. D., of Foley Alabama, former Vice President of the University of Chicago; Mr. Caldwell Marks, Birmingham industrialist and member of the Advisory Board of University of Alabama, Birmingham; Dr. Donald Springer, practicing optometrist, former President of the American Academy of Optometry, Anniston, Alabama; and other invited guests. (1, 14). In November, 1967, Dr. Volker also began inviting optometric leaders to serve as consultants to the Advisory Committee.

The first committee meeting of this ad hoc committee was held on February 28, 1968, in the Kracke Clinical Services Building on the UAMC campus. The first three program consultants invited to campus were Dr. Jay Enoch, Research Associate Professor, Department of Ophthalmology, Washington University, School of Medicine, St. Louis, Missouri; Dr. Fred W. Hebbard, Dean, College of Optometry, The Ohio State University, Columbus, Ohio; and Lt. Colonel Robert Bailey, Commanding Officer, U. S. Army Aeromedical Research Unit, Fort Rucker, Alabama. This report for the Alabama Legislature ultimately was prepared by Ms. Margret "Peggy" Crosswhite on behalf of Dr. Volker (1, 14).

Other consultants invited later were: Dr. Henry Hofstetter, Director, Division of Optometry, Indiana University, Bloomington, Indiana; Dr. Chester Pfeiffer, Dean, College of Optometry, University of Houston, Houston, Texas; Dr. Spurgeon Eure, President, and Dr. Vonne Porter, Executive Vice President, Southern College of Optometry, Memphis, Tennessee; Dr. Edward J. Fisher, Dean, School of Optometry, University of Waterloo, Waterloo, Ontario, Canada; and Dr. Henry B. Peters, Associate Professor, Director of Clinics, and Assistant Dean, University of

California, Berkeley, Berkeley, California. Ms. Crosswhite also gathered data offered by the consultants and the Southern Research Institute (SRI) Manpower Report prepared by Dr. Sheldon Shaffer as part of the report she prepared for Dr. Volker. Drs. Hofstetter and Pfeiffer visited campus Monday, May 20, 1968; Drs. Eure and Porter visited campus Thursday, November 7, 1968; and Dr. Fisher on Thursday, November 14, 1968 (1, 14).

Establishment of the ALOA Liaison Committee

Dr. Volker contacted the ALOA President, Dr. Don Snellgrove sometime in either late August or early September regarding the establishment of a Liaison Committee to work with the University of Alabama Medical Center for the development of a school of optometry. On September 15, 1967, Dr. Don Snellgrove notified Dr. Volker that he had appointed a Liaison Committee. The members of this Committee were: Drs. Don Springer (Chairman), Anniston; E. C. Overton, Fairfield; Elbert A. Coshatt, Aliceville; G. M. Banks, Gadsden; and Thomas S. Gibson, Huntsville (33). Dr. Snellgrove also mentioned the ALOA's intent to raise funds for the new school but wanted to do this in coordination with the university. He also expressed the need for the ALOA and the University to coordinate an announcement of the new school and sought Dr. Volker's advice and guidance on these matters. Dr. Volker also solicited names from the Committee that might be considered for Dean (33). Dr. Overton in his recollection remembered the ALOA Liaison members as Drs. Springer, Overton, Coshatt, Rooks and Adams (33).

UNIVERSITY OF ALABAMA MEDICAL CENTER ACTION

On May 31, 1968 the Office of the Executive Vice President, University of Alabama in Birmingham issued for immediate release an announcement regarding the action of the legislature toward the establishment of a School of Optometry at UAB. Dr. Joseph Volker, Vice President for Birmingham Affairs would serve as Chairman of the Study Committee. He announced the appointment of other committee members in this press release. The members of this Committee were: Samuel B. Barker, Ph. D., Associate Dean, Graduate Studies; W. Paul Brann, Ph. D., Vice President of Financial Affairs, UAMC; Lowell T. Coggeshall, M.D., of Foley, Alabama, former Vice President of the University of Chicago; Caldwell Marks, Birmingham industrialist and a member of the Advisory Board of the University of Alabama in Birmingham; and Donald A. Springer, O. D., a practicing optometrist; Anniston, Alabama. In this memorandum he provided three steps that would be implemented towards the establishment of an optometry program, if funding was approved by the legislature. This announcement was a major step in the development of UABSO (34).

First Step

As an initial step, discussions were held with the administration of the Medical and Dental Schools and other units of the University of Alabama in Birmingham to acquaint them with opportunities and problems that might be anticipated in the undertaking of establishing a school of optometry. At the same time, as mentioned above, the staff of the Vice President's office, led by Peggy Crosswhite, began the collection and evaluation of the curriculum needs and the financial requirements for the operation of a school of optometry. The administration of the University and the Advisory Committee were most fortunate to have for their orientation the very detailed report of the SRI on "The Demand for and Supply of Professional Refractive Eye-Care Services in Alabama and Surrounding States" (21). Ms. Crosswhite served to coordinate all of the activities of the university with regard to the school of optometry including travel schedules and detailed records of the consultant's meetings.

Second Step

At the time this announcement was released, the second stage of planning was underway. It involved the use of selected consultants knowledgeable in various aspects of optometric education, research and practice. As of May 31, 1968 this effort had involved the services of five outstanding optometrists: Dr. Jay Enoch, Research Associate Professor, Department of Ophthalmology, Washington University School of Medicine, St. Louis, Missouri; Dr. Frederick W. Hebbard, Dean of the College of Optometry, The Ohio State University, Columbus, Ohio; Lt. Colonel Robert Bailey, Commanding Officer, U. S. Army Aeromedical Research Unit, Fort Rucker, Alabama; Dr. Henry Hofstetter, Director, Division of Optometry, Indiana University, Bloomington, Indiana; and Dr. Chester Pheiffer, Dean, College of Optometry, University of Houston, Houston, Texas. It would later be expanded to include several more individuals from several additional optometric educational institutions. The appointment of the appropriate dean to lead this program was of vital importance to the UAMC as well as the profession of optometry (14).

Third Step

In the third stage of planning, it was anticipated that selected schools of optometry would be visited by the administrative officials of the University and members of the Advisory Committee. During the summer and fall period, a comprehensive report of the findings of the committee was to be prepared. It was expected that the report would serve as the basis for information requested by the Alabama Legislature for the 1969 Regular Session. This report was to contain information related to funds required for construction and operation of a school of optometry. There was no further mention of visitations to other schools or colleges although

they may have occurred but not been recorded. It did detail the names of consultants who visited the campus.

FUND DRIVE COMMITTEE FOR THE UAB SCHOOL OF OPTOMETRY

The Alabama Optometric Association accepted the challenge of raising funds to assist with the building of a facility and other needs of the School of Optometry. One of the first actions taken by the ALOA had been to increase license renewal fees by \$100 with the passage of S. 381 approved as Act No. 520 on September 7, 1967 by Governor Lurleen Wallace. This increase in fees was a cost to be borne by the optometrists and not the State of Alabama. This action demonstrated to the public the willingness of the optometrists to support such a program.

Establishment of a Fund Drive Committee

Prior to the formation of the original Fund Drive Committee for the UAB School of Optometry Drs. Donald Springer, E. A. Coshatt, E. C. Overton and Don Snellgrove met with Dr. W. Paul Brann, Chief Fiscal Officer of the University of Alabama, Birmingham, on May 20, 1968. Also attending the meeting was Dr. Henry Hofstetter, Dean, Division of Optometry, Indiana University, and President-Elect of the American Optometric Association. The purpose of this meeting was to develop a strategic plan for raising funds that could be utilized by the school of optometry (14). The original Fund Drive Committee was established most likely in June, 1968, and its members included Drs. Don Springer, Anniston; Elbert A. Coshatt, Aliceville; Eleazer C. Overton, Fairfield and Tom Gibson, Huntsville (19). According to Dr. Overton the committee had donations or pledges of over \$250,000 within eight weeks. Many Alabama optometrists pledged \$1,000 each to become a "Founding Father" of the School of Optometry (**Founder's Plaque – Appendix V**) (19).

On June 13, 1968, Mr. Fred Woodress sent Dr. Bert Coshatt a copy of the School of Optometry Brochure to proof. This tri-fold brochure included a description of what had been accomplished to date, details of the pledge card, and letters from Dr. Volker and Dr. J. C. Ashbee, President of the ALOA (35).

Request for Adoption of Resolution by the Executive Committee of UA Board of Trustees

The ALOA had drafted a proposed Resolution for the Executive Committee of the Board of Trustees of the University of Alabama, establishing the University of Alabama, School of Optometry Fund, that was sent to Dr. Volker on July 22, 1968 (36). That same day July 22, 1968, Mr. Rufus Bealle, Secretary of the University of Alabama Board of Trustees sent to Dr. W. Paul Brann, Assistant to the Executive Vice President of the University of Alabama Medical Center, a copy of suggested changes made by the UA attorneys (37). On July 25, 1968 Dr. Brann responded to Dr. Coshatt, with his apologies for the delay in submitting what he termed as a

suggested “letter of understanding” between the ALOA Fund Drive Committee and the UA Board of Trustees (38). Dr. Brann also enclosed for the ALOA’s consideration, a suggested letter to be signed by the President of the ALOA and the Chairman of the ALOA Fund Drive Committee, and a Resolution to be sent to the University of Alabama, Board of Trustees, both documents dated July 22, 1968 (38). It seems that some miscommunication occurred and Dr. Coshatt had initially sent the ALOA proposed resolution directly to the UA Board of Trustees (37). An undated copy of this Resolution was found in the UAB Archive (39).

On July 31, 1968 a letter was sent to Dr. Volker stating that representatives of the ALOA Fund Drive Committee had met with Dr. Volker and reviewed, approved, and request adoption of the proposed Resolution by the University of Alabama Executive Committee of the Board of Trustees. This letter was signed by Dr. J. C. Ashbee as the President of the ALOA and Dr. E. A. Coshatt as Chairman, ALOA Fund Drive Committee (40).

Request by the ALOA to Establish a Restricted Fund in UAMC Accounts for Monies from Donors

On August 8, 1969 Dr. W. Paul Brann wrote to Dr. Volker informing him the ALOA had asked him to create a restricted fund in the University of Alabama Medical Center accounts to receive monies collected from donors. Dr. Brann understood that the appeal would be to Alabama optometrists, optometric organizations, and others at the national level. Dr. Brann recommended that the UAMC agree to receive these monies although he remained skeptical the ALOA could achieve the announced goal of \$750,000 (41). For purposes of the campaign, the ALOA had prepared a special brochure, including a letter from Dr. Volker which was carefully worded to avoid University endorsement of either the school or campaign. In addition to the letter, was a proposed Resolution for submission by Dr. Rose to the Executive Committee of the UA Board of Trustees, for their approval (41).

On August 20, 1968 Dr. Brann sent a memorandum to Dr. Volker informing him the Optometry Fund Account had been established as requested (42).

On August 20, 1968 Dr. Volker received an up-to-the date listing from Audrey Brown of contributions and pledges made to the University of Alabama in Birmingham, School of Optometry Fund in the amount of \$5,725. Of course, these were only funds that were made to the University of Alabama. (43).

On August 22, 1968 Dr. Volker sent copies of the letter and Resolution drafted by Dr. W. Paul Brann to Dr. Frank Rose, President, of the University of Alabama. Dr. Volker expressed hopes that it would be possible for Dr. Rose to concur in supporting the ALOA Resolution to establish a School of Optometry Fund Drive. He asked Dr. Rose to contact him if he had any questions (44).

Fundraising Efforts

It is apparent the Dr. Coshatt worked very diligently towards his goal of raising \$750,000. In a letter dated November 6, 1968, Dr. Volker, responded to several questions that had been raised by Dr. Coshatt (45). In this reply Dr. Volker makes it clear that it will be necessary for the Alabama State Legislature to make a substantial appropriation for construction and a realistic appropriation for operational funding to initiate the school of optometry that was authorized in the last session. Furthermore, Dr. Volker, in his judgment, thought the amount of funds needed in the two categories will be comparable to that appropriated by Indiana for similar purposes. This was in no way meant to discourage private philanthropy since such monies could be used for development of research programs, scholarships, salary support, equipment purchases, and if significant enough, be use as matching funds for federal building grants (45). The Fund Drive Committee also met with Drs. Volker and Brann in the Reynolds Library on Monday November 11, 1968 (19, 46).

The Fund Drive Committee organized a vigorous mailing effort in 1968 soliciting funds from members of the American Optometric Association, the American Academy of Optometry, the Southern Council of Optometrists, state optometric associations, the Optometric Progress Fund, the Optical Manufactures Association, the Optical Laboratories Association and the Association of Schools and Colleges of Optometry (1). Later with the arrival of Dr. Peters in 1969, Mr. John Hand, President of the First National Bank of Birmingham, assigned Mr. Lee Lloyd, a Vice President and Trust Officer as a loaned executive to serve with Drs. Peters and Overton, and Mr. Caldwell Marx in seeking corporate contributions (19).

There exists a bronze plaque in the Peters Building at the UAB School of Optometry that contains the names of many of the individuals and corporations, primarily from Alabama, who donated to this fund drive. The Fund Drive Committee had an original goal of raising \$750,000 matching funds for a federal construction grant. By 1969, the Committee had approximately \$350,000 in cash and pledges (1).

Consultants Invited to UAMC Campus

In October 1968, Dr. Volker invited several of the consultants to Birmingham for a November 7, 1968 meeting to discuss the development of the School of Optometry (1, 14). There is not any correspondence related to the content of these meetings in the UAB Archives. However, this part of the plan was outlined as Step 2 in the memorandum sent to the University Community by Dr. Volker on May 31, 1968.

On February 19, 1969 Dr. Coshatt wrote Dr. Volker requesting a meeting on February 26, 1969 around 2:30 P. M. This meeting was to formulate plans relative to the school of optometry for the upcoming legislative session (47). There is no evidence of a response from Dr. Volker.

Support of Drs. S. Richardson Hill and Frank Rose

On March 12, 1969 Dr. S. Richardson Hill, Vice President for Health Affairs, UAMC, wrote to Mr. L. P. Patterson of the Medical Association of the State of Alabama bringing to his attention the fact that a school of optometry was created and placed at UAB by the Legislature during its last session. Even though the school was not contemplated as part of the long range plan of the University they were nevertheless given the responsibility for this program (48).

The 1969 Physician's Handbook of MASA stated "it was held unethical for any Doctor of Medicine to teach in any school or college of optometry, lecture to any optometric organization, contribute scientific material to the optometric literature or in any way impart medical knowledge to non-medical practitioners". Dr. Hill called to his attention AMA Resolution #107 adopted by the AMA House of Delegates in June 1966 and a resolution which was subsequently expanded by the AMA's Judicial Council September 1968. He believed it was important to correct this statement in the 1969 Handbook of MASA as it was no longer valid in light of the action taken by the AMA (48).

Once it was clear the school of optometry had received funding and would be an integral part of UAB, Dr. Hill proved to be a strong advocate. He offered support by encouraging medical faculty to participate in the School's education programs and supporting the School's many grant applications. It is clear Dr. Peters appreciated Dr. Hill many efforts on behalf of the UAB School of Optometry.

On April 15, 1969 Dr. Frank Rose, President of the University of Alabama responded to the April 14, 1969 letter from Dr. John Hall Nelson regarding the proposed school of optometry. Dr. Rose stated he was fully conscious of the need to develop the Department of Ophthalmology and that for four years we did everything we could to keep the optometry school from being developed in Alabama. However, this was accomplished by the Alabama Legislature two years ago and there was nothing that could be done about it. Dr. Rose thanked Dr. Nelson for his interest and wished him every good thing (49).

EDUCATIONAL APPROPRIATION FUNDING FOR A SCHOOL OF OPTOMETRY – 1969

Special Session

There was a Special Session of the 1969 Alabama Legislature that began Tuesday, April 1, 1969 and continued for 17 legislative days, ending on Monday, May 5, 1969 (50).

House

On Tuesday, April 1, 1969, the First Day of the Special Session, Messrs. Mathews, Merrill, Pennington, McDonald, Drake, Hill, Snell, Manley, Fite, House, Holladay, Cook (Coffee),

McCorquodale, Cook (Jefferson), Collins (W), Laxson, Berryman (R), Lemley, Agee, McElhaney, Culver, Headley, Hain, Crane, Hobbie, Bank, and Starnes; introduced H. 22, to make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971. This bill was assigned to the Committee on Ways and Means.

On Thursday, April 3, 1969, the Second Day of the Special Session, under the heading "Bills on Second Reading", Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted favorably on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the calendar, to wit: Among those bills read was H. 22.

On Wednesday, April 9, 1969, the Third Day of the Special Session, the bill H. 22 was taken up. Representative Springer (not Dr. Donald Springer) offered the first amendment to the bill, H. 22 related to the Minimum Fund Program for 1971. On motion of Mr. Mathews, the amendment offered by Mr. Springer was tabled. The vote was, Yeas 59; Nays 29. Mr. Springer offered amendment 2 to the bill, H. 22 related to the same subject and on motion of Mr. Mathews it was tabled as well. The vote was, Yeas 64; Nays 28. Mr. Smith then offered an amendment to the bill, H. 22 and the vote to table the motion of Mr. Mathews was lost. The vote was, Yeas 25; Nays 69. The question was then on the adoption of the amendment by Mr. Smith to the bill, H. 22. It was adopted. The vote was, Yeas 102; Nays 0. Next, Messrs Downing, Edington, Marr, Perloff, Nettles, Collins (C), Grayson, and Lyons offered an amendment to the bill, H. 22. On motion of Mr. Mathews, the amendment was tabled. The vote was, Yeas 69; Nays 26. And said bill H. 22, as amendment, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment. The vote was, Yeas 93; Nays 3.

Senate

On Wednesday, April 9, 1969, the Third Day of the Special Session, under the heading "Message from the House" the President of the Senate was notified the House had originated and passed H. 22 and ordered the same sent forthwith to the Senate without engrossment. The purpose of this bill was to make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971. The House Bill, the title of which was set out in the foregoing message from the House, was read one time and referred to the appropriate Standing Committee as follows: To the Committee on Finance and Taxation.

On Thursday, April 10, 1969, the Fourth Day of the Special Session, under the heading "Message from the House" the President of the Senate was informed the House had originated and passed several House Bills and ordered same sent forthwith to the Senate without

engrossment: Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on bill, H. 22 and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar.

On Friday, May 2, 1969, the 15th Day of the Special Session, under the heading “Bills on Third Reading Resumed” the bill, H. 22 was taken up. The Standing Committee on Finance and Taxation reported a substitute for the bill, H. 22, which was adopted. The vote was, Yeas 32; Nays 1. Four more amendments were offered and adopted by the Senate. None of these amendments were related to funding for a school of optometry. Next, Mr. O’Bannon offered an amendment to the bill, H. 22. This amendment specifically mentioned striking out funding for a school of optometry. This amendment to H. 22, as amended, sought to remove funding in the amount of \$200,000 for fiscal year 1970 and \$300,000 for fiscal year 1971. On motion of Mr. Turner, said amendment was laid on the table. The vote was, Yeas 22, Nays 8. Subsequently 16 more amendments were offered and acted on this same day. None of these bills were related to funding for a school of optometry. And said bill, H. 22, as thus amended, was read a third time at length and passed by the Senate. The vote was, Yeas 35; Nays 0.

House of Representatives

On Friday, May 2, 1969, the 15th Day of the **Special Session**, under the heading of “Senate Message” Mr. Mathews moved to concur in and adopt the Senate amendment to the bill, H. 22, said Senate amendment. This Senate amendment did include funding for a school of optometry in the amount of \$200,000 for fiscal year 1970 and \$300,000 for fiscal year 1971. It was in Section 15, Subsection B- Paragraph 4. These funds were designated for the operation and maintenance of a school of optometry. Mr. Marr made a motion to table the motion of Mr. Mathews to concur in and adopt the Senate amendment to the bill, H. 22. This motion was lost. The vote was, Yeas 42; Nays 54. The question was then on the motion of Mr. Mathews to concur in and adopt the Senate amendment to the bill, H. 22. The amendment was adopted. The vote was, **Yeas 77; Nays 21**. And said bill, H. 22, as amended by the Senate amendment, was again read at length and passed. The vote was, **Yeas 92; Nays 5**.

The dramatic aspects of this day, the events that unfolded and the final vote are discussed in **Appendix II**.

On Monday, May 5, 1969, the 16th Day of the Special Session, under the heading of “Certificate of Clerk” was the announcement that H. 22 as one of several bills had been delivered to the Governor at 12:30 P. M.

On Wednesday, May 14, 1969, Act No. 91 in the form of H. 22 was approved by Governor Albert Brewer at 2:10 P. M.

With this approval the **UAB School of Optometry** would receive funding from the Special Education Trust Fund. **This was the fifth such action taken in the establishment of a school of optometry.** With the passage of this legislation and its signature by the Governor as Act No. 91, the establishment of the UAB School of Optometry became official.

An interesting note related to this time is contained in a reply to Dr. John Hall Nelson from President Frank Rose dated April 15, 1969. In this letter of reply, Dr. Rose thanks Dr. Nelson for writing him about the proposed optometry school. Rose states “I am fully conscious that we do need to develop our Department of Ophthalmology and for some four years we did everything we could to keep optometry from being developed in Alabama. However, as you know, this was done by the Legislature two years ago and there is nothing that can be done about it” (49). Dr. Rose thanked Nelson for expressing his interest and wished him well. It is difficult to judge from this letter exactly what Dr. Rose’s true opinion was regarding a school of optometry, but it seems likely Dr. Rose was, in fact, in favor of such a program.

REGULAR SESSION OF THE ALABAMA LEGISLATURE – 1969

Regular Session

The Regular Session of the Alabama Legislature met 36 days from Tuesday, May 6, 1969 until Thursday, September 4, 1969. The intent was to seek funds for the school of optometry from the General Fund (51).

House of Representatives

On Tuesday, June 3, 1969, under the heading “Introduction of Bills” Mr. Mathews introduced H. 621. This bill was to make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the State and for the interest on the public debt and for public schools.

On Thursday, June 12, 1969, under the heading of “Unanimous Consent Granted” on motion of Mr. Merrill, unanimous consent was granted for reporting out of Standing Committee the following bills: “Bills on Second Reading” among which was H. 621 (with amendment).

Senate

On Thursday, August 14, 1969, the 30th Day of the Regular Session, the bill, H. 621 was taken up. The Standing Committee on Finance and Taxation reported a substitute for the bill, H. 621, to wit: The Committee substitute for House bill 621 included an appropriation of \$23,000 for item #47. This funding was to be used for constructing, operating and maintaining a school or college of optometry. This substitute was adopted. The vote was, Yeas 30; Nays 0. Next, the Senate considered 23 actions related to amendments to H. 621.

House of Representatives

On Wednesday, June 25, 1969, the bill H. 621 was taken up. Thirteen actions were taken by the House related to H. 621 before the midday recess. In the afternoon session under the heading "H. 621 Resumed" seven actions were taken by the House. With the last action the bill, H. 621, as thus amended, was read a third time at length and passed, and ordered, sent forthwith to the Senate without engrossment. The vote was, Yeas 89; Nays 0. Under the heading of "Message from the Senate" the Speaker was informed the Senate had amended and passed the House Bill H. 621 and returns the same to the House. On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 621. In this amended version of H. 621 it was specified that from the General Fund would be appropriated \$23,000 for #47 entitled University of Alabama - Medical Center for constructing, operating and maintaining a school or college of optometry. And said bill, H. 621 as amended by the Senate amendment, was again read at length and passed. The vote was, **Yeas 90; Nays 2.**

On Thursday, September 4, 1969, in a "Message from the Governor" to the House, Governor Brewer returned to the House, bill 621 without his approval and suggested an amendment. On motion of Mr. Mathews, the House concurred in and adopted the amendment proposed by the Governor. The vote was, **Yeas 70; Nays 1.** And said bill H. 621 as amended by the amendment proposed by the Governor, was again read at length and passed. The vote was, **Yeas 73; Nays 0.** The bill, H. 621 was delivered to the Governor at 6:05 P M. on September 4, 1969.

Senate

On Thursday, September 4, 1969, under the heading "Message from the House" the President of the Senate received the "Message from the Governor" proposing an amendment to the bill, H. 621. On the motion of Mr. Turner, the Senate concurred in and adopted the amendment proposed by the Governor, to the bill, H. 621. The vote was, Yeas 27; Nays 0. And said bill, H. 621, as thus amended by the Executive amendment, was again read at length and passed. The vote was, **Yeas 27; Nays 0.**

On September 12, 1969, Act No. 995, in the form of H. 621, was approved at 8:05 P. M. This Act provided \$23,000 for the construction, operation and maintaining a school or college of Optometry from the General Fund budget. Ultimately the construction of the building to house the UAB School of Optometry would be built with federal and state funds as well as funds from the community and profession. This is likely the only time the UAB School of Optometry received funds from the General Fund.

PRESIDENT'S REPORT TO ALABAMA STATE LEGISLATURE

Dr. Volker's President's Report to Alabama State Legislature

Dr. Volker submitted a report to the Alabama State Legislature, presumably in June 1969, entitled **“President’s Report 1968-69, University of Alabama in Birmingham, School of Optometry”**. The purpose of this report was to provide information related to the funds allocated by the Alabama Legislature during the biennium 1967-69 for planning related to a School of Optometry. This report contained information concerning accomplished planning, projections, and comparisons with existing schools of optometry. Its Table of Contents included Student Data; Instructional Programs; Research; Service; Faculty and Staff; Facilities, Space and Equipment; Organization; Financial; Library, Teaching Aids and Computer Needs; Events, Speakers and Performances; Other Comments and Observations and as an Appendix the May 1969 issue of The Bulletin. This report was 19 pages in length (52).

On the first page of this report is a summary page that reports in April 1969 during the Special Session on Education, the Alabama State Legislature appropriated funds for the operation and maintenance of a school of optometry at the University of Alabama in Birmingham for the biennium 1969-71. It acknowledges that a final selection of a Dean had not yet been made (52). This Report was in effect the Annual Report required of each school every year.

Report on Optometry Within an Academic Setting

The “Report on Optometry as an Interdisciplinary Profession within the Academic Setting” was prepared in time for the 1969 Regular Session of the Alabama Legislative Session and was delivered in June 1969 (53). The Report included information on such topics as Historical Events, Plan and Implementation, Data Collection, The Problem and the Solution, Program of Education and Fiscal Considerations. Including the list of optometry holdings in the library, list of journals, information on the accreditation process, and references this report was 104 pages in length.

Relationship of Optometry to Ophthalmology

A separate narrative dated June 15, 1969 entitled “Relationship of Optometry to Ophthalmology” Part I, was prepared as well (14). This report may have been utilized for internal purposes within the University. It included such topics as: Definitions, Academic points of exchange, Professional status of optometry, Documented need for optometrists, History of the profession of optometry, Accreditation, Chronology of events leading to an active relationship with the UAB, UAB response to legislative action, Statements of the University of Alabama position including that of the Medical center, Opposition – the pattern and questions raised and Opposition statements and answers from the American Optometric Association. This narrative was 14 pages in length.

Of special note is that under the heading of Organization four additional names were listed as selected consultants in addition to those previously provided (14). These four individuals were

the following: Dr. Spurgeon Eure, President, and Dr. Vonne Porter, Executive Vice President, Southern College of Optometry; Dr. Edward J. Fisher, Dean, School of Optometry, University of Waterloo, Waterloo, Ontario, Canada; and Dr. Henry B. Peters, Associate Professor, Director of Clinics and Assistant Dean, School of Optometry, University of California, Berkeley, California. A complete list of the selected consultants was also provided by Dr. Peters (1). In this manner Dr. Volker had used the consultants in gain insight into the profession of optometry and perhaps find a dean candidate he thought would be ideal for an optometry school in an academic health center.

RECRUITMENT OF A DEAN AND BEGINNING OF THE PROFESSIONAL PROGRAM

Dr. Volker Responds to the Opposition

Coinciding with the beginning of the interviews of candidates for the Dean's position, Dr. Joseph Dixon, a local ophthalmologist, met with Dr. Volker and others in UAMC Administration. In a letter to Dr. Dixon dated July 8, 1969 Dr. Volker thanked Dixon for meeting yesterday. He informed Dr. Dixon he was enclosing a copy of a letter sent to Representative Hugh Merrill relative to optometric education. He presumed Dr. Hill would also share his correspondence on the matter. Furthermore, he understood that Dr. Dixon would forward to his office a copy of the letter from the University Administration to Dr. Nelson indicating opposition to the UAB School of Optometry. Dr. Volker also had taken the opportunity since their conversation to re-read the article "Optometric Education at UAB" which appeared in the May 1969 Bulletin under Dr. Volker's signature. He stated he was unable to find evidence that the article "promoted" optometry". If Dr. Dixon believed otherwise, Dr. Volker would appreciate having the basis of his judgment. Dr. Volker also indicated his displeasure and disagreement with the use of the word "unscrupulous" in their conversations (54).

Search Committee for Dean and Offer to Dr. Enoch

In the meantime, the Search Committee for the Dean of the School of Optometry was underway. It was Dr. Volker's habit to use such consultant's as a pool of potential candidates for faculty or administrative positions. Dr. Jay Enoch was the first person invited to visit the UAB campus in regards to this Dean's position. Dr. Enoch visited UAB on July 8-9, 1969. Dr. Enoch was, at the time of this visit, an Associate Professor in the Department of Ophthalmology, Washington University, St. Louis, Missouri. Dr. Enoch was an optometrist who completed graduate studies in Physiological Optics at The Ohio State University. He earned his Ph. D. degree in 1951 and had been at Washington University for 10 years at this time. Dr. Enoch was formally offered the position on July 10, 1969 in the form of a letter from Dr. Volker before leaving campus (55).

Questions from Dr. Enoch

On July 23, 1969, Dr. Volker received a letter from Dr. Enoch regarding a series of questions about the Dean's position. The questions from Dr. Enoch related to issues such as the importance of meaningful cooperative programs with the UA Department of Ophthalmology, determination of who must be satisfied in the development of the optometry program and course sequence, the degree of freedom allowed in the budgeting of available funds, and the long range projections for the school. He also had questions as to parallel (to other schools) academic appointments, tenure and moving expenses.

Finally, the item Dr. Enoch found most unsatisfactory was the stated salary. Dr. Enoch elaborated on what he currently enjoyed as salary and benefits from Washington University for both he and his family. For a variety of reasons related to family matters, the UAB offer would probably amount to a significant reduction in income. He also addressed the success of his career and research program, his responsibilities to his staff and the department and his happiness at Washington University. At this stage in his career he felt that he should not be asked to make a sacrifice, rather that his contributions should be recognized. Finally, he concluded he did not believe he could consider the position offered unless a meaningful adjustment in salary were to be made and careful substantive progress made toward his other suggestions (56). All of Dr. Enoch's points were appropriate given his current position.

There are no records in the UAB Archives related to other offers made to Dr. Enoch. However, on July 30, 1969, Dr. Volker did respond to Dr. Enoch's letter and subsequent telephone conversations (57). In this letter he addressed the issues raised but does conclude that Dr. Enoch's financial commitments are a matter of personal decision. Dr. Volker mentioned that good housing is readily available and affordable in Birmingham. However, UAB cannot compete with Washington University's policy of free tuition for sons or daughters of faculty or 50% scholarships to attend institutions elsewhere. He does note that state tuition in Alabama is low as is housing and maintenance. Moreover, the quality of education, particularly in the professional and graduate schools, is eminently satisfactory. If, in Dr. Enoch's judgment, this is an overriding consideration, he must be candid and stated that UAB could not be more helpful. He did state that he would follow-up the letter with a telephone call. However, there is no written record of any further conversations that may have occurred related to this matter with Dr. Enoch. Likewise, there is no written record of Dr. Enoch formally declining the President-Elect's offer. Dr. Volker did, on August 18, 1969, acknowledge Dr. Enoch's declining the position (58).

Dr. Peters Added to the List of Consultants

Dr. Henry B. Peters name was added to the list of consultants in February 1969. Dr. Peters first visit to the UAB campus in his capacity as a consultant was on February 12-13, 1969 (59). He returned to campus again on August 7-9, 1969 (60). Dr. Volker offered the Dean's position and

related faculty appointments to Dr. Peters at a salary of \$25,000 (61). Dr. Volker, in a letter dated August 9, 1969, to the members of the Dean's Search Committee and Deans of the Schools of Medicine and Dentistry, announced that he was pleased to inform them that Dr. Henry B. Peters had accepted appointment as Dean of the School of Optometry, effective September 1, 1969 (62). The date of Dr. Peters official acceptance of the offer in the UAB Archives is a letter dated August 1, 1969. (It is also possible the letter was meant to be dated August 10, (63). (It seems likely that this letter was typed in some haste and signed by Dr. Peters before he left the UAB Campus).

UABSO BEGINS CLASSES

Dr. Peters and his wife Anne moved to Birmingham in August 1969. Officially the professional program of the UAB School of Optometry began on September 1, 1969 with Dr. Henry B. Peters appointed as its first Dean. Dr. Peters first day in the position was on September 2, 1969. Dr. Peters faced many significant issues but managed to admit the first class of students that same year. Those admitted to the first class were as follows: Neal M. Beakley, Nelson G. Crandall, Ronald Dachelet, Micheal E. Raim, Bernard Scott, Ernest S. Spohn, Eugenie Sturtevant, and Alan G. Tavel. Dr. Peters', in his book, *UAB School of Optometry, 25th Anniversary Photographic History, 1969 – 1994*, states the starting for students was September 27, 1969. According to the recollection of Dr. Nelson Crandall, a class member, eight of the ten students admitted reported to class and the program began on Thursday, September 25, 1969 (64). From this vantage point it seems a Thursday start day would be more likely than one on a Saturday.

SUMMARY

In summary, one can tell there was no shortage of speculation, confusion and, in some instances, misinformation. Perhaps the most compelling aspect of the story is that Senator Alton Turner had a strategy from the very beginning about how to approach this matter. His years of experience in the Alabama Legislature and his position in the Senate and Legislature gave him a distinct advantage. As Governor Brewer stated in his interview "Senator Turner was a master politician" (65). Senator Turner knew how the state legislature functioned and did not want either the optometrists or ophthalmologists to disrupt his plan. By and large, in retrospect, the events that unfolded were predetermined by Senator Turner but made for great drama for everyone else.

March 21, 2012

June 2, 2016, reviewed and revised

March 23, 2017, reviewed and revised

July 8, 2017, reviewed and revised

September 12, 2017, reviewed and revised

September 17, 2018, reviewed and revised

ACKNOWLEDGMENT

I would like to thank Mr. Tim Pennycuff of the UAB Archives for encouraging me to undertake this project. I also thank Mr. Pennycuff and Ms. Jennifer Beck for providing copies of material from the UAB Archives. I am indebted to Senator (Dr.) Jim McClendon for his support and assistance through the Legislative Reference Service (LRS). His kind offer to make available access to the services of the LRS made this project much more attainable and placed it in the realm of possibility. I am also most appreciative of the efforts of Mr. Frank Caskey and Ms. Carma Marks of the LRS for providing the reference material and other information from the Journals of the House and Senate. All of the legislative actions cited in this paper are from these Journals. Likewise, I am grateful to Drs. G. Robert Crosby and Don Snellgrove for sharing their remembrances of these many past events. Dr. Snellgrove willingly shared information from his files. I thank Janice Turner Carter for providing information about her father, Senator Alton L. Turner. I also want to thank Anita Smith and Peggy Striplin for conducting interviews of those individuals involved in the early history of those legislative efforts that led to the passage of this important legislation. Mrs. Smith's summary of the interview of Governor Brewer has proved to be most helpful in an attempt to further elucidate the history of the events that led to the establishment of the school. I also thank Jerry R. Pederson, O. D., for his careful review of this paper and helpful suggestions. I dedicate this chapter to all of those who worked so tirelessly to bring about the remarkable story and success of the UAB School of Optometry.

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Alabama in Birmingham, UAB Archives. Dr. Brann also enclosed a suggested letter to be signed by the President of the ALOA and the Chairman of the ALOA Fund Drive, and a Resolution to be sent to the University of Alabama, Board of Trustees dated July 22, 1968. University of Alabama in Birmingham, UAB Archives.

- 39.) Undated Final Resolution sent to the Executive Committee of the University of Alabama Board of Trustees. University of Alabama in Birmingham, UAB Archives.
- 40.) Letter from Drs. J. C. Ashbee and E. A. Coshatt dated July 31, 1968, representing the ALOA, to Dr. Volker informing him the ALOA and ALOA Fund Drive Committee having met with Dr. Volker and reviewed, approved and requested adoption of the proposed Resolution to be presented to the Executive Committee of the University of Alabama, Board of Trustees for its consideration. University of Alabama in Birmingham, UAB Archives.
- 41.) Letter from Rufus Bealle forwarded by Dr. W. Paul Brann to Dr. Volker dated August 8, 1969 regarding the creation of a UA account to receive monies donated for the School of Optometry. University of Alabama in Birmingham, UAB Archives.
- 42.) Memorandum from Dr. Brann to Dr. Volker dated August 20, 1968 informing him the Optometry Fund Account had been established as requested. University of Alabama in Birmingham, UAB Archives.
- 43.) Memorandum to Dr. Volker from A. Brown dated August 20, 1968 with listing of contributions and pledges to UAB School of Optometry Fund Drive. University of Alabama in Birmingham, UAB Archives.
- 44.) Letter from Dr. Volker to Dr. Frank Rose dated August 22, 1968 asking for his support of the ALOA Resolution in establishing the University of Alabama, School of Optometry Fund Drive. University of Alabama in Birmingham, UAB Archives.
- 45.) Letter from Dr. Volker to Dr. E. A. Coshatt, dated November 6, 1968, Chairman, University of Alabama School of Optometry Fund Drive related to funding for the new school. University of Alabama in Birmingham, UAB Archives.
- 46.) Note regarding meeting with Dr. Volker and Brann in the Reynolds Library on Monday, November 11, 1968. University of Alabama in Birmingham, UAB Archives.
- 47.) Letter from Dr. E. A. Coshatt to Dr. Volker dated February 19, 1969 regarding a planning meeting for the 1969 legislative session. University of Alabama in Birmingham, UAB Archives.
- 48.) Letter from Dr. S. Richardson Hill, Executive Vice-President, UAMC, to Mr. L. P. Patterson, of MASA on March 11, 1969 with regard to the establishment of a School of Optometry at UAB and the actions of the AMA House of Delegates in 1966 and 1968 needed to be reflected in the Physician's Handbook of the Medical Association of State of Alabama.

- 49.) Letter from Dr. Frank Rose, President of the University of Alabama to Dr. John Hall Nelson, an ophthalmologist in Tuscaloosa, Alabama, dated April 15, 1969. University of Alabama in Birmingham, UAB Archives.
- 50.) Journals of the House of Representatives and Senate for the Special Session of the Alabama Legislature, April 1, to May 5, 1969.
- 51.) Journals of the House of Representatives and Senate for the Regular Session of the Alabama Legislature, May 6, to September 4, 1969.
- 52.) President's Report 1968-69, University of Alabama in Birmingham, School of Optometry. There is not a date on this report but it is presumed to be submitted in June 1969. University of Alabama in Birmingham, UAB Archives.
- 53.) Report on Optometry as an Interdisciplinary Profession Within the Academic Setting. This report was prepared in response to a request of the Alabama State Legislature in 1967. It was submitted in June 1969 by Dr. Joseph F. Volker, President, University of Alabama in Birmingham. (This report was prepared by Margaret D. Crosswhite, Administrative Assistant to Dr. Volker). University of Alabama in Birmingham, UAB Archives.
- 54.) Letter from Dr. Volker to Dr. Dixon dated July 8, 1969, regarding Dr. Dixon's comments on optometric education. University of Alabama in Birmingham, UAB Archives.
- 55.) Letter of offer from Dr. Volker to Dr. Jay Enoch dated July 10, 1969, to become the dean of the UAB School of Optometry. University of Alabama in Birmingham, UAB Archives.
- 56.) Letter from Dr. Enoch to Dr. Volker dated July 23, 1969 addressing challenges and concerns raised by Dr. Enoch. University of Alabama in Birmingham, UAB Archives.
- 57.) Letter from Dr. Volker to Dr. Enoch dated July 30, 1969 in which Dr. Volker responds to Dr. Enoch's questions about the Dean's position. University of Alabama at Birmingham, UAB Archives.
- 58.) Letter from Dr. Volker to Dr. Enoch dated August 19, 1969 acknowledging Dr. Enoch's decision to decline the Dean's position. University of Alabama in Birmingham, UAB Archives.
- 59.) Letter from Dr. Volker to Dr. Henry Peters dated February 7, 1969, confirming Dr. Peters visit to the UAB campus on February 12-13, as a consultant for the School of Optometry. University of Alabama in Birmingham, UAB Archives.
- 60.) Letter from Ms. Peggy Crosswhite to Dr. Volker dated August 6, 1969 regarding visit of Dr. Peters to UAB campus. University of Alabama in Birmingham, UAB Archives.
- 61.) Letter from Dr. Volker to Dr. Peters dated August 9, 1969 offering Dr. Peters Dean's position and related appointments. University of Alabama in Birmingham, UAB Archives.

- 62.) Letter from Dr. Volker to Members of Dean's Search Committee and Deans of the Schools of Medicine and Dentistry dated August 9, 1969. University of Alabama at Birmingham, UAB Archives.
- 63.) Letter from Dr. Peters to Dr. Volker dated August 1, 1969 (but meant to be dated August 10 since the letter referenced the August 9, letter of offer) accepting offer of the Dean's position. University of Alabama in Birmingham, UAB Archives.
- 64.) Personal Communication from Dr. Nelson Crandall to Dr. Don Snellgrove, dated September, 2010.
- 65.) Interview of former Governor Albert Brewer on October 13, 2008 by Anita Smith and Peggy Striplin. Files of the UAB School of Optometry.
- 66.) Telegram addressed to Honorable Woodrow Albea, State Capital Building, at 1:36 PM, May 2, 1969. University of Alabama in Birmingham, UAB Archives.
- 67.) Article in *Montgomery Advertiser* dated May 3, 1969 entitled "Optometry Budget Item Causes Roar". University of Alabama in Birmingham, UAB Archives.
- 68.) Letter from Dr. Volker to State Senator Woodrow Albea dated May 9, 1969 regarding telegram sent to him by ophthalmologists. University of Alabama in Birmingham, UAB Archives.
- 69.) Article in *Birmingham Post-Herald*, dated May 22, 1969, entitled "Volker Appeals for Optometry School". University of Alabama in Birmingham, UAB Archives.
- 70.) Letter from Dr. C. Kermit Pitt, President of MASA to Dr. Volker, dated June 19, 1969. University of Alabama in Birmingham, UAB Archives.
- 71.) Copy of presentation made by Dr. Ed Stevenson to the 811 Breakfast Club on March 18, 2008. University of Alabama in Birmingham, UAB Archives.

APPENDIX I

VISIONARIES

There are four individuals, among the many who played important and significant roles in this history, who are deserving of special mention. These individuals are Dr. Donald A. Springer, Anniston, Alabama; Dr. Eleazer C. Overton, Fairfield, Alabama; Dr. Elbert A Coshatt, Aliceville, Alabama; and Senator Alton L. Turner, Luverne, Alabama. A brief biographical sketch of each of these individuals is presented to more completely explain the background of those who played a significant role in the history of the establishment of the UAB School of Optometry.

Clearly there were many optometrists and others involved in this effort but most notable were Drs. Edgar Warr and Don Snellgrove. Without Drs. Warr and Snellgrove's connection and discussions with Senator Turner, there would likely have not been a School of Optometry at UAB. These humble optometrists preferred their role in the background but they are equally deserving of recognition.

Dr. Donald A. Springer

Dr. Springer was a second generation optometrist whose father, Dr. Nathaniel Springer, began the original Springer practice in 1919 after receiving further training from Kellan and Moore Opticians in Atlanta. Dr. Donald Springer was born in Anniston in 1922 and attended public schools in that city. He completed his pre-optometry education at the University of Alabama and, in 1941, entered The Ohio State University College of Optometry. His optometric education was interrupted by service in the Army Ordinance Corps during World War II from 1943 to 1945. Following his discharge from service he completed his optometric education at OSU in 1946 and returned to Anniston to join his father in practice. He quickly became involved in his community and organized optometry. Dr. Springer served the profession in many capacities. He became one of the first Fellows of the American Academy of Optometry from Alabama, obtaining this distinction just one year after joining the practice. He served as the President of the ALOA in 1949-1950. In 1963, he persuaded the ALOA to form a Health Manpower Committee. He served as the President of the American Academy of Optometry in 1963-1964. He provided testimony before the Subcommittee on Health of the House Interstate and Foreign Commerce Committee related to optometry's inclusion in the HPEA Act in 1964. He served as a member of the Review Committee on Construction of Schools of Optometry from 1964 to 1967. Dr. Springer's goal of establishing a school of optometry was based on his years of contemplating the need for a stronger optometric workforce in Alabama. He was also influenced by the perspective he gained through his leadership role as President of the American Academy of Optometry. The need for a greater workforce in all of the independent health care professions was becoming more apparent during the late 1950's and early 1960's.

Dr. Springer was the catalyst for the establishment of a school of optometry in Alabama. It was Dr. Springer who had the vision for this program (1, 2).

Dr. Eleazer C. Overton

Dr. Eleazer Claiborne “E. C.” Overton was born in Birmingham, Alabama, attended public schools and graduated from Ensley High School in 1937. Following graduation, he worked for the Civilian Conservation Corps (CCC) and the Southern Optical Company. In 1942, Dr. Overton entered the naval pilot training program eventually flying 85 missions over Japan with Air Group 16, attached to the USS Randolph. He attained the rank of Lieutenant while serving as an aviator in the Naval Reserve during World War II. After the War, he enrolled at the Northern Illinois College of Optometry graduating in 1948. He returned to Birmingham and established a practice in the Five Points West area of the city in 1949. Dr. Overton was involved early on in the efforts by the ALOA to establish a school of optometry. He was elected to the Birmingham City Council where he served from its inception in April 1962 until October 1981. His length of service on the Birmingham City Council was more than 18 years. In this capacity he served as Chairman of the Public Improvement Committee and as Chairman of the Education Policy Committee. It was in the arena of public service he became acquainted with many area educators, those individuals in elected office or active in Jefferson County politics. Dr. Overton was able to use these relationships to gain support from city and county governments for the establishment of a school of optometry at the University of Alabama Medical Center. The significant level of community support marshaled by Dr. Overton was instrumental in the eventual success of the legislation and the school’s location at UAB. Dr. Overton also served on the fundraising committee for the new school in the area of business and industry in Birmingham. This Committee raised \$250,000 within eight weeks in the latter part of the 1960’s (1, 3).

Dr. Elbert A. Coshatt

Dr. Elbert A. “Bert” Coshatt was born in Maylene Alabama in 1921. After graduating from high school he served in the military during World War II. After graduating from the Northern Illinois College of Optometry he returned to Alabama, moving to Aliceville, Alabama where he began a private practice. Dr. Coshatt was active in his community serving as President of the Aliceville Chamber of Commerce. However, it was his keen interest in politics, with a desire to help others, and his dedication to the profession of optometry that was his real passion. Along with Drs. Springer and Overton, Dr. Coshatt recognized the state’s desperate need for more practicing optometrists in Alabama. To this end, he worked tirelessly to ensure that a school of optometry would be located at UAB. He served as President of the ALOA in 1966-1967 and during this same time was selected to serve as the Chairman of the Legal/Legislative Committee for the ALOA. This latter position was one Dr. Coshatt held for several years after his term as

President of the ALOA. Dr. Coshatt was also instrumental in securing legislation that increased license fees assessed by the Alabama Board of Optometry. Excess monies not utilized by the Board would be provided for the support of optometric education in Alabama. Dr. Coshatt also helped organize a vigorous fundraising campaign and served as the Chairman of the Fund Drive Committee for the University of Alabama at Birmingham School of Optometry. He was twice selected as Optometrist of the Year by the ALOA and in 1976 was named as the Optometrist of the South by the Southern Council of Optometrists. The first endowed scholarship to assist a deserving optometry student of the UABSO was named in his memory (1, 5).

Senator Alton L. Turner

Senator Alton L. Turner was born in Rutledge, Alabama but spent his formative years attending public schools in Luverne, Alabama. On graduation from Luverne High School Mr. Turner enlisted in the United States Navy on July 1, 1943. He served as a navigator in the Navy Air Corps during World War II and was discharged with the rank of Ensign on July 19, 1946. He entered the University of Alabama after being discharged from the Navy and received the LL. B. degree in 1950. He returned to Luverne and Crenshaw County where he lived and practiced law for 35 years. He developed a substantial law practice and a reputation as an outstanding defense attorney. Mr. Turner served as Crenshaw County Solicitor from 1952 to 1958. He was elected to the State Senate the first time in 1958 served as the Senator from District 25 from 1959 through the 1962 term. He was elected to the Alabama House of Representatives in 1962 where he represented Crenshaw County and served from 1963 to 1966. He was elected again, in 1966 to the Alabama Senate, and served the 20th District from 1967 to 1970. He served as Chairman of the Joint Legislative Committee on Finance and Taxation during the 1967 Special Session (1). He was also Chairman of the Senate Committee on Finance and Taxation during the Regular Session of his second Senate term. He also served as Chairman of the Joint Senate-House Appropriations Committee of the Alabama Legislature, Chairman of the Legislative Council, Chairman of the Committee on Grounds and Public Buildings (and later a member) and was a member of the Committees of the Judiciary, Constitution, Local Legislation and Banking. Many considered Senator Turner one of the most powerful and influential Senators, if not Legislators, of this time. Mr. Turner served as floor leader for Governors John Patterson, George Wallace, Lurleen Wallace and Albert Brewer. Following elected office Mr. Turner served as Assistant District Attorney, City Attorney for Luverne, Alabama and Rutledge, Alabama, attorney for the Crenshaw County Commission and Crenshaw County Hospital. Among his many honors was the Award of Merit for Distinguished Service from the Southern Council of Optometrists (1, 6, 15, 16).

APPENDIX II

TIMELINE OF IMPORTANT EVENTS LEADING TO THE ESTABLISHMENT OF THE UAB SCHOOL OF OPTOMETRY

Events Leading to the Introduction of Federal Legislation

- With the anticipated passage of legislation for Federal entitlement healthcare programs (Medicare and Medicaid) there was likely to be a critical shortage of providers.
- Dr. Donald Springer from Anniston, AL who served as President of the American Academy of Optometry was well aware of the critical need for an increase in the health professions, especially optometric manpower (workforce) both in Alabama and the southeast.
- Dr. Springer had served on the Executive Committee of the American Academy of Optometry during the late 1950's and early 1960's and had become aware of this looming shortage in the health professions.
- Several studies performed by various entities had attempted to predict the shortage of physicians and dentists in the coming decade.
- In 1963, Dr. Springer persuaded the ALOA to form a Health Manpower Committee to investigate the need for an increased optometric workforce in Alabama.
- On February 24, 1961 Senator Lister Hill of Alabama introduced the bill, S. 1072, the Health Professions Educational Assistant Act (HPEAA), in the United States Senate.
- The HPEAA was one of the most comprehensive health care funding acts ever introduced. It included funding for construction or renovation of buildings, special project grants, and scholarships all in an effort to increase the number of healthcare providers.
- On Friday, May 5, 1961, Dr. Henry Hofstetter, Director of the Division of Optometry, Indiana University and Chairman of the AOA Committee on Research, became the first optometrist to testify on behalf of the profession in support of this legislation before the Subcommittee on Health of the Senate Committee on Labor and Public Welfare.
- On January 23, 1962 U. S. Representative Torbert H. MacDonald from the Massachusetts 8th Congressional District, offered amendments to House Legislation H. R. 4999 that would authorize funding for optometry schools and colleges as well as financial aid for optometry students.
- The HPEA Act was signed by President John F. Kennedy on October 13, 1963 and became effective for FY 1964-66.
- On May 26, 1964 Dr. Springer, President of the American Academy of Optometry and a practitioner from Anniston, Alabama, was among several prominent optometrists to

testify before the House Committee on Interstate and Foreign Commerce. Their testimony related to the need for optometry student loans and more optometrists.

- Also the ALOA set about establishing a relationship with the University of Alabama by holding its continuing education program on campus beginning in 1964. The featured speaker for this program was Dr. Merrill Allen a widely respected researcher and expert on motorist's vision.

Pathway to Legislation for Establishing a School of Optometry in Alabama

- On Monday, June 14, 1965 Drs. Springer, Snellgrove, Overton, and Coshatt met with Dr. Joseph Volker, Executive Vice-President for Health Affairs, of the University of Alabama Medical Center. The purpose of this meeting was to inquire about the University of Alabama Medical center (UAMC) establishing a school of optometry. Dr. Volker explained that as a land grant university only the Alabama Legislature could approve legislation establishing a school and appropriating the funds to support it.
- Sensing that Dr. Volker was not opposed to such a program, the members of the ALOA, after agreeing to move forward, began to get involved in the political process at the local and state level.
- In late 1966, Drs. Edgar Warr and Don Snellgrove met with Senator Alton Turner of Luverne, AL. The purpose of this meeting was to discuss the possibility of introducing legislation to establish a school of optometry in Alabama. Senator Turner was widely-regarded as the most influential legislator in the Senate, if not the State of Alabama. Senator Turner was well-versed in the procedures and rules for passing legislation in Alabama.
- During the Organizational Session of the Alabama Legislature, Senate Joint Resolution 18 was passed on January 17, 1967 and signed by Governor Lurleen Wallace on January 23, 1967.
- On Friday, June 23, 1967 the Joint Interim Legislative Committee reported during the Regular Session of the Alabama Legislature there was a need for a school of optometry in the state.
- During the Regular Session of the Alabama Legislature in 1967 the bill, H. 24 which was the Educational Appropriation for the State, as recommended by the Committee on Conference, was passed by the Senate on Wednesday, August 23, 1967 by the vote Yeas 29; Nays 2 and passed by the House on Thursday, August 31, 1967 by the vote of Yeas 90; Nays 0.
- This bill was signed into law as Act 383 by Governor Lurleen Wallace on September 6, 1967. It contained funds for the initial study required for the establishment of a school of optometry and the operation and maintenance of such a school. The funds of \$50,000 each for fiscal years 1968 and 1969 were for planning, curriculum development,

and estimated costs associated with a school. These funds were placed in the budget of the University of Alabama Medical Center.

- During the Regular Session of the Alabama Legislature in 1967, the ALOA also put forth Senate Bill 381. This bill changed the Alabama State Board of Optometry rules to increase license renewal fees from \$12 to \$112 each year. This bill was introduced by Senator Alton Turner on Tuesday, July 11, 1967. This bill was passed by a vote of Yeas 80; Nays 0. Senate Bill 381 was approved (signed) as Act No. 520 on September 7, 1967 by Governor Lurleen Wallace.

Final Approval for Funding of a School of Optometry located at the University of Alabama Medical Center

- As part of the study process for the establishment of a school of optometry, Dr. Joseph Volker, Executive Vice President for Health Affairs, was to deliver a report regarding the feasibility of such a program to the Legislature in 1969.
- Dr. Volker assigned Mrs. Margaret (Peggy) Crosswhite the task of collecting information about the profession of optometry and optometric education. He also invited a group of nine consultants to visit the UMAC campus over the next two years. Mrs. Crosswhite prepared the report Dr. Volker would submit to the Alabama Legislature in 1969.
- On May 31, 1968 Dr. Volker announced to the university community the action of the legislature regarding the establishment of a school of optometry at the UAMC. He also announced the appointment of an Advisory Committee.
- A Fund Drive Committee was established in the summer of 1968 to raise funds for the construction of a school building. This appeal was made to state optometrists, the Birmingham business community, optometric organizations and corporations, as well as the profession at large across the United States.
- During the Special Session of the Alabama Legislature in 1969 on Tuesday, April 1, H. 22 was introduced to make annual appropriations for the support of public education for fiscal years 1970 and 1971. This bill was passed on Wednesday, April 3, 1969 in the House by a vote of Yeas 93; Nays 0 and on Friday, May 2, 1969 in the Senate by a vote of Yeas 35; Nays 0. The bill as amended by the Senate was returned to the House where it was adopted 77 to 21.
- This appropriation included under UMAC's budget \$200,00 for FY 1970 and \$300,000 for FY 1971 for operation and maintenance of a school of optometry. The House Bill, H. 22 was approved as Act Number 91 by Governor Albert Brewer on May 14, 1969 at 2:10 pm.
- During the Regular Session of the 1969 Alabama Legislature on Tuesday, June 3, Mr. Matthews introduced H. 621. This bill was to make appropriations for ordinary

expenses of the executive, legislative, and judicial departments of the State, for interest on public debts, and for public education.

- This bill was passed on Wednesday, June 25, in the House by a vote of Yeas 90; Nays 2 and in the Senate on Thursday, September 4, by a vote of Yeas 27; Nays 0. This bill was signed on Friday September 12, 1969 as Act Number 995 by Governor Albert Brewer. This Act provided \$23,000 for the construction, operation, and maintenance of a school or college of optometry.
- On August 10, 1969 Dr. Volker announced that Dr. Henry B. Peters had been appointed as the first Dean of the UAMC School of Optometry. The UAB School of Optometry officially began on September 1, 1969 the first day that UAB was established as a separate campus of the UA system.
- The first class of the UAB School of Optometry had eight students who matriculated on Saturday, September 27, 1969. One class member recalled the first day of class being Thursday, September 25, 1969. The latter date would seem to make more sense given it was a weekday.

*Dr. Overton related events during the final vote for the 1967 appropriations bill (\$50,000). While debate was taking place the President of the Senate, Lt. Governor Albert Brewer, received a disturbing telegram, purportedly from Dr. Frank Rose, President of the university of Alabama. The telegram stated that President Rose opposed the bill supporting a school of optometry and that the University of Alabama was not in favor of the school. Lt. Governor Brewer excused himself to telephone President Rose. Dr. Rose informed him he did not send the telegram and that he did, in fact, support such a school. Lt. Governor Brewer called the Western Union to ask they trace the origin of the telegram and found that it had originated from the office of Dr. Joseph Dixon, a Birmingham ophthalmologist. Lt. Governor Brewer then interrupted Senate debate and reported what had taken place. The bill was immediately called for a vote and passed with only several opposing votes. This version of events that occurred that day were confirmed by Governor Brewer in an interview conducted on October 13, 2008 as part of a UAB School of Optometry history project.

APPENDIX III

DRAMA DURING THE DEBATE ON THE APPROPRIATIONS BILL

As one might imagine, when critical votes were before the Alabama House or Senate, contingents of optometrists and ophthalmologists would be in attendance in the gallery. This made for anxious and dramatic times, especially since the outcome of such an important issue remained unknown. For the optometrists, the establishment of a school of optometry as an integral part of a major public institution's academic medical center, would be a significant step forward in the development of optometry in the State of Alabama. In addition, it would likely have an impact regionally and nationally on the state of optometric education. Clearly, it would mean the graduation of more optometrists to meet the workforce needs for the delivery of eye care to the people of the State of Alabama, the southeast United States and beyond.

For the ophthalmologists this legislation would affect their profession on several levels. Perhaps, first and foremost, it would elevate the status of optometry, a profession many of them regarded as little more than a trade. It would be difficult, at best, to continue to denigrate, with any degree of effectiveness, a school and profession that is an integral part of the Medical Center that also includes Schools of Medicine, Dentistry and Nursing and Allied Professions. Of equal importance, and probably greater in many individual's minds, was the economic impact such an optometry school would have. It would eventually mean the graduation of 40 graduates every year, some of who would remain in Alabama. This school and its graduates had enormous implications related to access to patients and the sharing of patient care as the future of health care, especially eye care evolved.

There are several accounts of the events that led to critical votes taken on the appropriation of funding for the school of optometry. The Overton account relates events that occurred during the voting for the 1967 Appropriations Bill for the state education budget.

Overton Account

Dr. E. C. Overton recalled there were both optometrists and ophthalmologists together in the gallery overlooking the Senate Chamber during the final vote for the 1967 appropriations bill (\$50,000) (19). According to Dr. Overton's recollections while the debate was taking place, the President of the Senate, Lt. Governor Albert Brewer, received a disturbing telegram, purportedly from President Frank Rose of the University of Alabama. (Several sources were later told by Senator Turner that it was he (Senator Turner) who delivered the telegram to Lt. Governor Brewer). This telegram stated that President Rose opposed the bill supporting a school of optometry and that the university was not in favor of the school. According to Dr. Overton, this was not the opinion of Dr. Rose, when Lt. Governor Brewer had asked him earlier how he felt about this matter.

Dr. Overton recalls that Lt. Governor Brewer picked up the telephone and called Dr. Rose, and Rose informed him he did not send the telegram. In fact, Dr. Rose told Lt. Governor Brewer that he did support the school. Next, Lt. Governor Brewer called Western Union to trace the origin of the telegram and found that it had originated from the office of Dr. Joseph Dixon, a Birmingham ophthalmologist and President of the Alabama Academy of Ophthalmology. Dr. Overton then reported that Lt. Governor Brewer interrupted Senate debate and reported what had taken place. The bill was called up immediately for vote and passed with only four opposing votes. According to the Journal of the Senate the number of votes for the final approval of the Conference Committee Report was; 29 Yeas, and 2 Nays.

An in depth and lengthy interview of Governor Brewer was conducted on October 13, 2008 by Anita Smith and Peggy Striplin (65). This interview was one of many held with individuals either involved with organized optometry or the establishment of the School of Optometry. This was a history project authorized by Dean Amos and begun in 2007. In this interview Governor Brewer corroborates Dr. Overton's recollection of events that occurred on the day of the vote. Anita Smith had brought along a copy of Dr. Overton's 1994 recollections for Governor Brewer to read. When asked specifically about Dr. Overton's version of these events he confirmed the scenario about the fake telegram attributed to Dr. Frank Rose. Governor Brewer also confirmed that the subterfuge on the part of Dr. Dixon did indeed occur. Once it was known that the telegram had originated from Dr. Dixon and not Dr. Rose and, in fact, Dr. Rose was in favor of a School of Optometry (as was Governor Brewer) the Appropriations bill passed immediately.

There is some similarity between the events related to the 1967 and 1969 vote for appropriations funding. It is difficult to know from this perspective the exact events that occurred in 1969. However, the events that occurred in 1967 seem to be as reported by Dr. Overton.

UAB Archives

A search of the UAB Archives revealed a telegram dated May 2, 1969 sent at 1:36 PM Central Daylight Time from Birmingham Alabama. This telegram was addressed to HON WOODROW ALBEA STATE CAPITAL BLDG MONTGOMERY ALABAMA. The message was "THE ACADEMY OF OPHTHALMOLOGY AND OTOLARYNGOLORY CALLS TO YOUR ATTENTION THE MESSAGE OF DR ROSE PRESIDENT OF THE UNIVERSITY OF ALABAMA OF THIS DATE TO THE GOV TO REMOVE THE REQUEST OF THE UNIVERSITY FOR FUNDS FOR OPTOMETRY SCHOOL OR DIVERT THESE FUNDS TO INCREASING FACILITIES OF THE DEPARTMENT OF OPHALMOLOGY AT THE MEDICAL CENTER AND RESPECTFULLY URGES YOU TO SUPPORT THIS REQUEST. SIGNED T. N. KIRKLAND, MD, PRESIDENT J. H. NELSON, MD, SECRETARY" (66).

An article in the *Montgomery Advertiser* on Saturday, May 3, 1969 reported on this event (67). "In an attempt to take \$500,000 out of the biennial budget for education which is pledged to build a School of Optometry at the University of Alabama Medical Center in Birmingham touched off a flurry of charges and countercharges.

The action began as Senator Stewart O'Bannon presented an amendment to the education appropriations bill deleting the line item appropriations of \$200,000 in the first year and \$300,000 in the second year. Senator Alton Turner lashed out at the 84 ophthalmologists of the state he charged, were leading the opposition to the School of Optometry. Turner displayed telegrams from the Alabama Academy of Ophthalmology and Otolaryngology and from the Birmingham Eye, Ear, Nose and Throat Association. These messages indicated that Dr. Frank Rose, President of the University, had contacted Governor Albert Brewer asking the appropriation for the Optometry School be removed.

Senator Turner declared he had conferred with Governor Brewer and that no such message had been received from Dr. Frank Rose. Turner also received word, as he was speaking, that Rose stated in Tuscaloosa that no such word was given. Spokesmen for the ophthalmologists and for the Alabama Medical Association said that the telegrams were a result of a misunderstanding of what Rose had told one of their members in a telephone conversation Thursday evening. University representatives at the Capitol Friday said that what Rose had said was that it was an extremely complicated matter and he would give it his consideration. But the University president decided Friday morning, university spokesmen said, that the School of Optometry is a matter for the legislature to decide.

The spokesman for the ophthalmologists and for MASA said that the doctor who had talked with Dr. Rose took his remarks to mean that he would ask that the appropriation be deleted from the budget. When the Rose and Brewer remarks were made public, support for O'Bannon's amendment quickly fell away and it was defeated 22-8. The O'Bannon amendment had won support earlier in the day from some 20 senators who were reportedly angry over an action Thursday night by Senator Turner. In a Thursday night address Turner was sharply and personally critical of Senator Tom Radney of Tallapoosa. Many senators thought his attack went beyond the limits of legitimate criticism and debate. Reports in the chamber Friday said that the O'Bannon amendment was in retaliation for that attack.

The Crenshaw County senator was, at one time, legal counsel for the State Optometric Association. His law partner in Luverne, Alabama, Billy King, represented the association after Senator Turner.

On May 15, 1969 Dr. Volker sent a letter to Senator Albea thanking him for making available a copy of the telegram that was sent to Albea during the Special Session of the Alabama

Legislature. Dr. Volker commented that the information contained in the telegram was obviously in error and he was pleased it was corrected very promptly (68).

Dr. Volker issued a statement that appeared in the *Birmingham Post Herald*, Thursday, May 22, 1969, under the heading "Volker Appeals for Optometry School" (69). In this article Dr. Volker appealed for close cooperation between existing schools of the Medical Center and the proposed School of Optometry. With pressure mounting from physician groups throughout the state to junk the project, Volker outlined the shortage of optometrists in Alabama. He also pointed out that only one optometry school in the U. S. is affiliated with a state university medical school.

Dr. Volker acknowledged that although some of the historic barriers existed in Alabama that had kept these programs (optometry) away from state university medical campuses in other places, he called for developing the Alabama school "as an integral part of the UAB campus". Such an environment would assure "the highest quality optometric education" for the state. UAB would have to expand to meet the needs of the new school. Areas such as optical physics, psychology, and basic health science departments would require substantial developments. Volker also thought that the dental materials program might provide a base for a similar program in ophthalmic materials. He expressed hope that clinical departments such as ophthalmology would co-operate in the teaching program and that public health and optometry faculty could be closely linked. Federal funds would be available on a two-to-one matching basis for the required school building. The school would need \$300,000 to \$400,000 for an annual operating budget. At this time the Alabama Legislature had only appropriated \$50,000 a year for 1968 and 1969 for planning and study of such a school. This article also mentions the opposition of the Medical Association of the State of Alabama to a school of optometry and the need for expanded training for ophthalmologists. At the same time, it urged that the training for optometrists be limited to testing for and prescribing of eyeglasses (58)

Ironically, Dr. Volker received a letter on June 19, 1969, from C. Kermit Pitt, M. D., President, of the Medical Association of the State of Alabama congratulating him on his recent appointment as President of UAB. Dr. Pitt also complimented Dr. Volker on his fine, in depth, presentation on the optometry-medical school situation before the Board of Censors yesterday. Dr. Pitt concluded by stating he trusted this matter will now be of no further concern and the business of establishing a School of Optometry may proceed (70). Dr. Pitt was not the only physician ready to see this matter settled. In fact, several had written letters supporting the establishment of the school.

Stevenson Account

A much different perspective on these events was offered by Dr. Ed Stevenson in a presentation to the 811 Breakfast Club on March 18, 2008 (71). This meeting of retired physicians was sponsored by the Jefferson County Medical Society. Dr. Stevenson felt he should relate a part of history of the UAB School of Optometry that few, if any, of this group knew. The establishment of a Joint Interim Legislative Committee to investigate the need for a school of optometry triggered a major effort by the Alabama ophthalmologists to defeat the measure. Those involved began a major letter-writing campaign to the University of Alabama Board of Trustees, members of the legislature, Governor Lurleen Wallace, and Lt. Governor Albert Brewer. Stevenson states most of the claims by the opposition to the legislative committee were transparently false and ineffective in blocking the progress of the committee.

Dr. Stevenson felt he had been thrust into the center of a political situation, only partially of his choosing, that ultimately resulted in a serious threat of losing his voluntary faculty appointment at the University of Alabama School of Medicine. Dr. Stevenson had not related the story before, but since it is part of the broader story of the UAB School of Optometry and the Otolaryngology Society, he felt it should be part of the permanent written record.

An important part of the story is peripheral to the optometry-ophthalmology conflict, but important to the events that followed. Historically the structure of the professional societies mentioned evolved from the time when eye, ear, nose and throat societies were combined. There had been the statewide Alabama Ophthalmology and Otolaryngology Society and locally the Birmingham Ophthalmology and Otolaryngology Society. While the professional activities of ophthalmology and otolaryngology had been largely separate since World War II, the societies remained joined both locally and nationally for the next 20 years. The city and state societies had a system of rotating presidencies such that the president of the society came from each specialty every other year. In 1967 it was the ophthalmologist's year to hold the office of President and in 1968 it was otolaryngology's turn and Dr. Stevenson was elected President. Stevenson noted that, in retrospect, he believed his election as President may in part have been related to the fact his brother-in-law was Senator Jack Giles (a member of the Joint Interim Legislative Committee). Senator Giles was a political ally of George and Lurleen Wallace and had been a member of Governor George Wallace's Cabinet.

Dr. Stevenson noted that in 1963 optometry schools became eligible to receive funding under the HPEA Act. The national optometry society (presumably the American Optometric Association) was looking about the country for a location to place a school of optometry in a medical center in order to increase the prestige and educational level of their field. For many years prior to this time optometry schools were conferring a Doctor of Optometry degree but entry requirements and curricula were far below the standards of the medical profession. Dr.

Stevenson further noted that optometry was considered by the medical profession to be more of a trade than a profession. This status presented a political hurdle in most states but the national organization chose Alabama as its focus since UAB was in its ascending infancy and Dr. Volker was anxious to build the institution. Additionally, the national optometry society focused politically on Alabama and began throwing money at the Alabama Legislature, including placing Turner's law firm on a \$30,000 retainer. Dr. Stevenson states he never saw proof of that claim but was told that was the case.

Dr. Stevenson noted that Dr. Joseph Dixon of Birmingham led the opposition of the ophthalmologists from Birmingham and the State of Alabama who were involved. Dixon developed an extensive file on all aspects of the movement including reprints of Dr. Volker's public addresses to optometry societies and conventions. One statement used repeatedly by Dr. Volker especially infuriated Dr. Dixon that was "to make optometry the co-equal with dentistry and medicine". He also noted another scary line the optometrists repeated was they were seeking to be able to perform "total eye care", a goal he believed that remained in effect as recently as 2008.

These events all came to a confluence in 1969 when the legislature was requested to appropriate major funds for a school of optometry at UAB. As President of the Alabama Ophthalmology and Otolaryngology Society (AOOS) for 1968-69 it was Dr. Stevenson's duty to oppose this appropriation. Dr. Dixon informed Dr. Stevenson that Dr. Frank Rose knew about "the affair" (presumably the appropriations bill) and was personally opposed to having the school in the Medical Center. Since the funding for the school of optometry was part of the 1969 Appropriations Bill, Governor Brewer and the Finance and Taxation Committee, had the appropriations request for the entire University of Alabama. It should be noted that with the death of Governor Lurleen Wallace from cancer, Albert Brewer became Governor of the State of Alabama in May 1968. Dr. Dixon informed Dr. Stevenson that Senator Turner had stated that if the optometry school funds were not formally included in the University budget request, the University would receive none of their requested appropriation. Senator Giles affirmed that was, in fact, the bluff that was on the table.

The ophthalmologists of the state organized a delegation to travel to Montgomery to personally fight their case and as President of the Alabama Ophthalmology and Otolaryngology Society (AOOS), Dr. Stevenson was expected to attend. Of the 16 members of the AOOS, who traveled to Montgomery to attend the session, 14 were ophthalmologists and two were otolaryngologists (Drs. Stevenson and John Taylor from Mobile). Senator Giles met with the AOOS delegation and was able to secure an appointment with Governor Brewer. After presenting their case to Governor Brewer, and emphasizing that Dr. Rose was on record as opposing the optometry school's placement at the Medical Center, the Governor informed

them that Dr. Rose had not personally told him that opinion. Brewer told the group that if Dr. Rose would personally tell him he opposed it, he would not request the appropriation.

Dr. John Hall Nelson, an ophthalmologist from Tuscaloosa, informed the group that Dr. Rose's personal secretary was his patient. After adjourning up the street to the MASA headquarters in Montgomery, Dr. Nelson called Dr. Rose's secretary. She told him Dr. Rose was in New Orleans staying at a hotel in the French Quarter and she provided the telephone number to Dr. Nelson. Dr. Nelson called Dr. Rose and explained their opposition to the appropriation. According to Dr. Stevenson, Dr. Rose told Dr. Nelson, he would immediately call Governor Brewer and ask that the appropriation be withdrawn. Dr. Stevenson then called Senator Giles and reported the conversation between Drs. Nelson and Rose. Based on assurance from Dr. Stevenson, Senator Giles and friends circulated a note to the Legislature that the school of optometry would not be requested. The delegation, then feeling the matter was settled in their favor, adjourned and traveled to their homes.

That evening Senator Giles called Dr. Stevenson quite upset. Senator Giles explained the funding request had been duly and officially made, passed by the Committee and the Senate. These actions made Dr. Stevenson, Senator Giles and his friends look like lying fools for circulating their note. Senator Giles then told him the School of Optometry had been funded by the Legislature.

Dr. Stevenson reported it took several days to find out what had happened. Dr. Nelson reported that apparently after the group left the Governor's office, the Governor told his secretary that he would not take any calls from Dr. Rose. Dr. Rose told Dr. Nelson that he had tried repeatedly to call the Governor, but could not reach him. He then added he had no idea if that was what really happened, but that was what was reported to him by Dr. Dixon.

Dr. Volker tried unsuccessfully to have Dr. Dixon removed from the teaching staff at the Medical School. Dr. Volker also asked Dr. S. Richardson Hill to call Dr. Stevenson and inquire as to his puzzling interest in the case. Dr. Hill did call and Dr. Stevenson explained his role and Dr. Hill accepted the explanation. Dr. Stevenson reported the issue of the optometry school brought the disaffection of the otolaryngologists to a climax. The fact was the otolaryngologists had minimal participation in the city and state EENT Societies. The dominating political issues of the ophthalmologist as well as the professional subject matter of the ophthalmologists did not interest most ENT members sufficiently to attract their attention. Dr. Stevenson concluded the ophthalmologists were enjoying their dues but not their company.

Ultimately the younger otolaryngologists decided to organize a scientifically-oriented society and formed the Alabama Otolaryngology Society (AOS). This group along with the Georgia and Florida Otolaryngology Societies formed the Tri-State Otolaryngology Assembly. The Florida

Society was later replaced by the Tennessee Society. The Alabama Otolaryngology Society continues to this time. The Birmingham Otolaryngology Society was formed a year after the AOS. The formation of a separate organization was never mentioned to Dr. Dixon or another ophthalmologist. The otolaryngologists simply stop paying dues or attending meetings.

Dr. Stevenson concluded his remarks by saying the School of Optometry had proved to be a great success and he acknowledged the foresight of Dr. Volker and the leadership of Dean Peters. He continues to feel the concept of “total eye care” by optometry is a pipe dream without adding medical school and an ophthalmology residency to the core curriculum of optometry.

Questions and Answers

A question and answer period followed Dr. Stevenson’s presentation that mentioned some interesting information related to the School of Optometry and the optometry/ophthalmology relationship. When asked how Dr. Alston Callahan fit into the story (it is not clear if Dr. Jack Trigg’s question was referring specifically to the optometry legislation or the division of ophthalmology and otolaryngology, but presumably the latter), Dr. Stevenson stated Dr. Callahan did not participate at all nor did Drs. James or Julian Hicks from the Department of Otolaryngology. At this point in time, and for some years afterward, there were two groups in ophthalmology; one led by Dr. Dixon and the other by Dr. Callahan. When there was one Department of Ophthalmology in Jefferson-Hillman Hospital, Dr. Callahan was replaced in the 1950’s and Dr. Elmar Lawaczeck was more or less in charge.

Dr. Stevenson did feel sympathy for the ophthalmologists in that he did not care for the idea of a practicing optometrist having a “Doctor of Optometry” degree from the University of Alabama Medical Center. He feared the public was already confused in the difference between an optometrist and an ophthalmologist and this would further confuse the issue with the public believing this doctor from UAMC was qualified to provide “total eye care”.

Dr. Stevenson did admit to making a political mistake when their delegation was in the Governor’s office. He said to the Governor “if you put an optometry school in the Medical Center then the next thing you know the chiropractor’s will want a school there”. He did not know, in spite of their long friendship, that Governor Brewer’s wife, Martha, was the daughter of a chiropractor or he would not have made that statement. This story was confirmed by Governor Brewer during an interview with Anita Smith and Peggy Striplin.

Dr. Firmon Hardenbergh provided some background related to the Department of Ophthalmology. When it was in the Jefferson-Hillman Hospital it was located on the 10th floor. Dr. Thigpen from Montgomery gave a large gift to the University for the Department of Ophthalmology. In gratitude, the University named the 10th floor of Jefferson-Hillman Hospital

as the Thigpen-Cater Hospital. After his separation from the University of Alabama Medical Center, Dr. Callahan began buying property in the name of the Eye Foundation. He built a separate hospital and began the Eye Foundation Hospital Department of Ophthalmology. For a period of time during the 1960's and into the early 1970's there were two residency programs in ophthalmology within two blocks of each other. In 1973, the Combined Program in Ophthalmology was formed, and located in The Eye Foundation Hospital. Dr. Ralph Levine was recruited as its Chairman when it was agreed that Dr. Callahan would not be Chair.

Dr. Trigg inquired of Dr. Stevenson if he could describe the training of an optometrist and comment on how they might think they were capable of rendering "total eye care"? Dr. Charles McCallum, former President of UAB, provided some background information related to this question. He informed the group the UAB School of Optometry was the first school of optometry to be placed in a medical center from its inception as part of a public university. One of the first questions for the University and the School was if UABSO would have its own basic science or would their students be taught by the faculty of the existing basic science department. Dr. Wayne Finley recalled that Dr. Robert Teague coordinated the basic science instruction in the new UABSO. These lectures were initially presented in the basement of the Crippled Children's Hospital, later called the Ambulatory Care Center. Dr. Finley remembered giving lectures to the optometry students at this location. Dr. Stevenson stated he felt like Dr. Peters, and the faculty of the UAB School of Optometry, were intellectually and educationally a step above the average optometrist and optometry training that existed in those days around the country. This was reinforced by Dr. Jim Pittman, the former Dean of the School of Medicine. Dr. Pittman appreciated Dr. Peters and thought he was a very intelligent person.

The next question was asked (the name is not legible) about whether Dr. Volker dictated that the School of Optometry building be constructed next to The Eye Foundation Hospital? Dr. McCallum responded he did not know who selected the building site and furthermore was not aware of where the funds to build the building came from. He was sure part of the building funds were from appropriations and part was borrowed. Dr. Stevenson responded he felt like they (optometry) put pressure nationally on people to make the optometry program successful and focused in on Alabama financially.

Dr. Wayne Finley asked if the location of this school of optometry in a medical center would become a model for other schools of optometry. Finley thought he noted a large optometry facility at the University of Arizona a few years ago. Dr. Stevenson noted that when visiting Memphis several weeks before, not far from the teaching hospital, was a large School of Optometry. It was, he remarked, eight to ten stories high. Dr. Stevenson then remarked he had asked Dr. Paul Burleson why MASA did not join with the ophthalmologists in fighting the optometrists like they did the chiropractors. The fight with the chiropractors, according to Dr.

Wayne Finley, centered on the formation of the Board of Healing Arts. This Board required chiropractors to take two years of basic sciences in order to be licensed. Many chiropractors did not meet those educational requirements. (After a lawsuit was found in their favor, the chiropractors were able to establish a State Board of chiropractic Physicians to oversee the licensing of chiropractors). As a follow-up question, Dr. Stevenson asked Dr. Burleson why wouldn't the state, presumably MASA, do something to help the ophthalmologists? Dr. Burleson had responded that ophthalmologists are a little different (from other physicians). In a way, they are not real doctors, because they don't take care of sick people at all. Dr. Stevenson retorted that the ophthalmologists are members of MASA and why didn't the organization get as interested in their cause as they did the orthopedist cause. Dr. Burleson did not have an answer and Dr. Stevenson concluded they would not touch the issue of the ophthalmologist.

Finally, Dr. Stevenson asked if optometry had a state board requirement and Dr. Finley answered he did not know the requirements. Stevenson then asked about the status of a local citizen's committee that was formed to try to get the new school of optometry established here. One of the leading members was from SRI, a Dr. Schaeffer. Was he related to the people at Schaeffer Eye Centers? He was a strong advocate. Now Schaeffer Eye Centers are all over the state.

Note on Stevenson's Comments

It would later be confirmed that Dr. Dixon clearly did everything in his power to stop the passing of legislation or funding of a school of optometry at UAB. First, is the notion that the AOA was behind the idea of establishing a school of optometry at UAB. The fact is that Dr. Springer was most closely affiliated with the American Academy of Optometry and not the AOA. Certainly the AOA was not opposed to a new school in a medical center but the idea originated with Dr. Springer. The AOA members were solicited for funds related to the building but this idea originated with the ALOA and not the AOA.

Dr. Dixon misled Dr. Stevenson on a number of issues because Dr. Dixon knew, that Dr. Stephenson, as an otolaryngologist, did not understand the nuances of the optometry-ophthalmology conflict. Dr. Dixon, however, knew that Dr. Stevenson's brother-in-law was Senator Giles and that he may be of some help. He also knew the impact having an optometry school in an academic medical center would have on public perception with regard to the optometric profession. Dr. Dixon had also not bothered to talk to Dr. Rose personally so he was really not aware of his true feelings as regarded the optometry school.

Dr. Dixon's worse faux pas was to place on each legislator's desk a letter purportedly from Dr. Rose to the Governor opposing funding for a school of optometry. When it was revealed that

the letter was false, or more plainly stated an outright lie, the vote for such funding was immediately forthcoming. Dr. Rose had sent no such letter and in fact he favored the establishment of a school of optometry.

Finally, as federal funding was being sought for the school of optometry building Dr. Dixon and his colleagues continued to oppose such funding on the basis that the legislation establishing the school was not legal. The officials at NIH were sent proof of the steps taken to pass the legislation. This was just another chapter in a sad record of opposition to the profession of optometry.

APPENDIX IV

INTERVIEW WITH GOVERNOR BREWER REGARDING THE SCHOOL OF OPTOMETRY LEGISLATION, DR. OVERTON'S RECOLLECTIONS, AND DR. STEVENSON'S ACCOUNT

Anita Smith and Peggy Striplin conducted an interview with Governor Albert Brewer on October 13, 2008. They conducted an in depth interview that specifically addressed the events that occurred before, during, and after the 1967 and 1969 legislative sessions. After reading the portion of Dr. Stevenson's account Governor Brewer commented he wished Dr. Stevenson had talked to him before making this presentation.

The interview conducted with Governor Brewer seems to point to the fact that many of the details in Dr. Stevenson's recollection of the passage of the 1969 appropriations bill had been filtered through the eyes of Dr. Joe Dixon or one of his close colleagues (54). Many of the details shared by Dr. Stevenson were not personally observed by him but were related to him by Dr. Dixon or some other ophthalmologist. Governor Brewer stated that, for example, if Dr. Rose had wanted to talk about a bill he would have done so personally. This was the opinion of others, such as Bert Bank, who knew Dr. Rose well. In fact, Dr. Rose never discussed this matter with Governor Brewer. Governor Brewer was also of the opinion that neither he nor Governor Lurleen Wallace would have asked a secretary to not answer or refuse a call from a certain party. The usual protocol was to tell that individual the Governor was busy or tied up and could not talk then. The secretary would be instructed to tell that individual that the Governor would return their call as soon as they were able.

Governor Brewer also expressed the opinion that once this type of legislation had been introduced, the legislative leadership was behind it and the University leadership was working with the legislative leadership, this was not a "big deal" to the University. If Dr. Rose had been concerned enough to make a telephone call, it would have been to Dr. Volker and not the Governor. Later in the interview Governor Brewer observed that this bill would not have gotten nearly this far had Dr. Rose had any reservations about it. Dr. Rose did not confront many problems but headed them off before they became problems. This is what people do who are effective in policy decisions. They think ahead! Dr. Rose knew there would be some people unhappy with this decision but he was also smart enough to know that in 1965 there were four optometrists for every ophthalmologist.

Governor Brewer did recall the opposition from the ophthalmologists as being much more heated in 1969 than in 1967. Finally, Governor Brewer pointed out that he would not have crossed Senator Turner. This was something Senator Turner wanted to achieve, and Governor Brewer was convinced it was a good thing to do as well, based on the optometrists he knew and respected in Decatur. If he had any concerns about the bill he would have talked to

Senator Turner before the session began. Governor Brewer added that if you are President of the Senate (Lt. Governor) or Speaker of the House and really opposed to something, it's not going to happen. However, this bill was well positioned with strong support and rationale for its being located at UAB. He credited Dr. Overton with influencing this outcome in terms of where the school was to be placed.

APPENDIX V

CONTRIBUTIONS TO THE FUND DRIVE FOR THE SCHOOL OF OPTOMETRY

FOUNDERS CLUB OPTOMETRISTS NAMED ON PLAQUE

Dr. Aubrey T. Allen	Dr. William S. Hill	Dr. Leon M. Reiss
Dr. Erskine E. Ashbee	Dr. George Isaac	Dr. Winifred A. Ritchie
Dr. James C. Ashbee	Dr. Allen Isen	Dr. Allen C. Rooks
Dr. George C. Banks	Dr. William Joseph	Dr. Ernest D. Rosemore
Dr. John I. Barksdale	Dr. Elton W. Justice	Dr. Frederick M. Rosemore
Dr. Frederick U. Baublitz	Dr. Herbert S. Kalin	Dr. Edwin Ross
Dr. Paul H. Beckman	Dr. Carel Christian Koch	Dr. James F. Samet
Dr. Robert N. Bedsole	Dr. William C. Lary	Dr. Joe P. Shackelford
Dr. Leonard Bell	Dr. Augustus Gerald Long, Jr.	Dr. Reuel Sherman
Dr. Thomas C. Bingham	Dr. James H. McClendon, Sr.	Dr. Thomas A. Smith
Dr. Ralph S. Bostick	Dr. Herbert P. McDonald	Dr. L. Don Snellgrove
Dr. George Ralph Carlton	Dr. Frank McGuire, Jr.	Dr. Donald A. Springer
Dr. Sam Chambers	Dr. B. W. Madden	Dr. George V. Stephens
Dr. John Christakos	Dr. Seymour R. Marco	Dr. William D. Sullins, Sr.
Dr. E. A. Coshatt	Dr. Franklin Minton	Dr. Gerald M. Thomas
Dr. Roy H. Coshatt	Dr. Ralph E. Mitchell	Dr. J. Evan Thompson
Dr. John D. Costabile	Dr. C. J. Moore	Dr. Robert H. Thurman
Dr. Francis J. Day	Dr. Phillip J. Moseley	Dr. Rollins L. Tindell
Dr. Jim H. Day	Dr. Charles Lee Neese	Dr. Harry Wallace
Dr. Madison F. Dixon	Dr. Charles Nelson	Dr. Edgar M. Warr
Dr. Garry Dobbs	Dr. Robert D. Newcomb	Dr. Leonard F. Warren

Dr. James Dobbs	Dr. Ralph Eleazer Newsome	Dr. Allan Wasserman
Dr. Richard E. Dougan	Dr. Harry C. Otwell	Dr. Robert A. Wickersham
Dr. Malcom E. Edwards	Dr. Eleaazer C. Overton	Dr. Rex A. Willoughby
Dr. William B. Eiland	Drs. Park, Blain & McCoy	Dr. H. Ralph Winton
Dr. James E. Folsom	Dr. Ben D. Parrish	Dr. Paul S. Worrell
Dr. Noel Charles Genevay, Jr.	Dr. Woodrow Patterson	Dr. Sidney L. Wright
Dr. Carl W. Gettig	Dr. William H. Perrine	Dr. T. Ben Youmans, Jr.
Dr. Thomas S. Gibson	Dr. Henry B. Peters	Dr. Glenn C. Young
Dr. Walter Randolph Gilbert	Dr. Richard C. Peters	
Dr. Henry G. Gwaltney	Dr. Robert P. Pharr	
Dr. Glen W. Herren	Dr. S. Cliff Rainey, III	

APPENDIX VI

PLANNING, CONSTRUCTION, EQUIPING, AND FINANCING THE SCHOOL OF OPTOMETRY BUILDING

Aside from the many tasks Dr. Peters had to address immediately on his assumption of duties as Dean, were such matters as recruiting students, designing a curriculum, finding basic health science faculty, planning and building a small clinic in the Ambulatory Outpatient Care facility; the primary issue, however, was funding for the construction of a building. Dr. Peters wasted little time in beginning to plan for the construction of a building to house the new program. The many phases endured and the vagaries of various federal and state funding sources made this an especially difficult project. The following is an attempt, based on the available information, to “re-construct” some of the issues Dr. Peters had to face in finding funds for the building project. This is in no sense a complete history of the many issues Dr. Peters faced during this time period but the best possible reconstruction of the related events with the resources discovered in the UAB Archives. Only Dean Peters could accurately reconstruct the events related to the many issues that impacted funding for this project.

Proposal for Funds for Phase One

On January 6, 1969, some eight months before Dr. Peters was appointed as Dean and assumed his duties, Drs. S. Richardson Hill and Robert Glaze wrote to the Birmingham Metropolitan Clearinghouse, Alabama State Clearinghouse, Region IV Public Health Service Office, notifying this agency of its intent to apply for federal assistance relative to the School of Optometry. The estimated cost of the new optometry building was \$1.5 million.

Some five months after assuming his duties as Dean, on January 6, 1970, Dr. Peters wrote to the Director of the Division of Educational and Research Facilities, Bureau of Health Professions Education and Manpower Training, U. S. Public Health Service, National Institutes of Health. In this letter Dr. Peters informed the agency of UAB’s intent to apply for a construction grant under the provisions of P. L. 90-490 for the construction of a building to house the UAB School of Optometry. This request proposed the construction of a new building, new space to be added to the Medical Center Library presently under construction, and new space to be added to the University Basic Science building also presently under construction. He anticipated the all-inclusive total project would be \$3 million, the first phase of which, the School of Optometry Building was anticipated to cost \$1.5 million. The first phase of the School of Optometry Building would involve only HPEA support in the amount of \$1 million. This appears to be a “broad brush” summary of Dr. Peters plan as of January 1970. He was very early in the process and, while an excellent grant writer, still had many pieces of the puzzle to figure out.

Matching funds of the applicable ratio, would be available for phase one on or before June 30, 1970. It seems likely the ratio was 2:1 with the former coming from federal funds and the latter from all other sources. These non-federal matching funds would come from private donations and the sale of a state bond issue as previously approved by the State Legislature. Dr. Peters proposed starting phase one of construction on July 15, 1970 and completing construction of this phase by July 15, 1971. Phase two was planned for 1973-74. The proposed site was available, and the site location would be between the Medical Center Library and the Eye Foundation Hospital on 8th Avenue. The architectural and engineering schematic drawings and the performance specifications are near completion for component sub-system pre-bidding purposes. The completion date of contract drawings and specifications for general construction bid purposes was May 15, 1970. Dr. Peters intended to submit an application for phase one in late February prior to the March 1, 1970 deadline for grant submission.

Relying on HPEA Funds

Dr. Peters wrote Drs. Volker, Hill, Glaze and Brann a memorandum dated May 7, 1970 expressing concern relative to funds for federal Construction Grants and Special Project Grants he had submitted to HPEA for the School of Optometry. There was a shortage of funds relative to the number of grants submitted. Although the UABSO priority was high, the political pressure being applied was fierce. Dr. Peter's, being new to Alabama, was soliciting the administration's assistance in garnering some political support from the Alabama delegation.

An example of this situation was contained in a letter from Dr. Marston. In this letter from then Director of the National Institutes of Health (NIH), Robert Q. Marston, M. D., to U. S. Representative Bob Casey, dated June 22, 1970, was a summary of HPEA grant funding to optometry that provided information about potential future dire consequences as regarded funding for the profession. Between fiscal years 1965-1970 the profession of optometry had received \$5,137,307 in the form of HPEA construction grants, and for fiscal year 1970, Special Project Grants totaling \$2,288,659. However, by fiscal year 1970 the number of applications for construction grants greatly exceeded the availability of funds. Up to this date the VOPP group had received slightly over 4% of the total allocation with the remainder going to medicine, osteopathy, and public health. As a result, the present funding policy was to provide 75% to medicine, osteopathy, and public health; 20% to dentistry, and 5% to the VOPP schools (15). Obviously going forward funding would be difficult to secure, especially for those professions in the VOPP institutions. This situation was to impact future funding for the construction of a building for the UABSO.

In response, Dr. Hill on May 8, 1970, suggested that Dr. Peters seek the support of the AOA as well as preparing a letter to Senator Sparkman and Representative John Buchanan outlining the great potential for UAB as regards the need for optometrists in the region and state.

Dr. Volker sent a letter to Representative Buchanan on May 12, 1970 in which he outlined the funds either on-hand or pledged and asked that Mr. Buchanan do all he could to procure for Alabama the share of funds urgently required for the development of this new program. The funding this far was: \$200,000 provided by the Alabama Legislature operating funds for 1969-70 and \$300,000 for 1970-71 for the same purpose. This was totally inadequate for the development of the faculty, support personnel and services, laboratory and clinical equipment and on-going operating expenses of the school.

UAB had applied for and may have been awarded an Institutional Grant of \$26,462 (no evidence found), applied for a Special Project Grant of \$2,161,650 over 5 years, including \$576,650 for 1970-71 for the development of the optometry program. Governor Brewer indicated support for the School of Optometry construction program in the amount of \$500,000 from the bond issue made available to the Alabama Public School and College Authority. The optometrists of the state and nation had either donated or pledged \$250,000, more than half which came from Alabama. The Special Projects Committee of the Downtown Action committee has undertaken the task of raising the remaining \$250,000 to complete the remaining \$1 million non-Federal matching funds required by July 1, 1970. The construction and equipment program would require \$3 million, one million non-Federal funds matched on a two-for-one (new school) bases by Federal funds. Although the site review team was very complimentary of the grant submission and project plans there was only \$54 million available for construction grants for health professions schools and there were \$120 million approved-but-not-funded projects on hand. Dr. E. C. Overton, Chairman of the Education, Health and Welfare Committee of the Birmingham City Council also sent a letter of support on September 14, 1970 to Roger Egeberg Under-Secretary for H. E. W. Furthermore, extensive information related to the passage of the HPEA Act for the upcoming legislative action was furnished to Dr. Peters by the AOA.

An interesting aside was the candidacy of Mr. Robert A. Thomason, III who was running for Place #15, representing Jefferson County, and his opposition to the School of Optometry. Dr. Hill wrote him a lengthy letter informing him of the inaccuracies in his campaign information and the harm he would do the Republican party. He was not elected.

The ophthalmologists continued to try to derail federal funding for the UAB School of Optometry. Dr. Peters received a letter dated September 2, 1970 from Mr. Henry Cram of the Health Manpower Training Division of the N. I. H. requesting information pertaining to the legislative history of the School of Optometry at UAB. James H. White, University Council, wrote a lengthy reply dated September 29, 1970, with copies of the legislative acts and reports. Henry Bruce, Acting Director, of the Division of Physicians and Health Professions Education, in his response thanked Mr. White for the ample and excellent background information. This

answer seemed to end the obvious attempts by organized ophthalmology, or at least some local ophthalmologists, in their attempt to stop funding for the school of optometry building. It seems likely the ophthalmologists were not aware of the fact a new program could be established in this manner.

Shortage of HPEA Funds

Dr. Peters submitted an application to the Health Professions Educational Improvement Act before March 1, 1970 requesting funding from July 1, 1970 until June 30, 1975 totaling \$2,156,000. This grant request was for the development of an optometry school in the UA Medical Center, the optometric technician training program, and interdisciplinary enrichment for optometry. The UAB Administration in a letter dated November 24, 1970 indicated that UAB was requesting \$1 million from the next session of the Alabama Legislature for the optometry building. If this amount is made available by the legislature, then the \$500,000 originally committed for the building would not be valid.

There followed an exchange in memorandums between Dr. Peters and Dr. Brann regarding the commitment of the university to providing \$1,182,933 in non-federal matching funds. Dr. Brann reassured Dr. Peters that even though some of the funds set aside for optometry were being utilized in the short-term for other projects on campus, the university would provide \$500,000 if the state bond money of \$1 million did not become available.

By December 1, 1972 Dr. Peters had utilized funds from the State of Alabama and private sources to excavate the site and pour the foundation but lacked funds to proceed with the construction of the building or the purchase of any equipment. Ultimately he did receive about 50% of the federal funds requested and Governor Wallace provided sufficient state revenue-sharing funds to complete the financing of the building. Equipment funding would have to come later.

As a result of the threatened cutbacks in federal support, on January 16, 1973, Dr. Peters ask that the university request state funding in the amount of \$700,000 for 1973-74 and \$800,000 for 1974-75. This was made necessary because it appeared that approximately \$300,00 each year from the Special Projects Grant was in serious jeopardy.

By February 1973 it had become apparent that HPEA funding was going away. In a memorandum to staff members at the AOA in St. Louis and Washington, D.C., Dr. Peters made known his feelings regarding the dire consequences he now faced. He felt the UABSO had done everything it had promised and more and the federal partnership was not upholding its end of the partnership.

Summary of Construction Grant History

In a memorandum dated April 24, 1973 sent to Dr. S. Richardson Hill, Dr. Peters summarized the history of the construction grant requested from federal, state, and university sources. This summary is illuminating in that it illustrates the many challenges Dr. Peters faced in the completion of the building project. It also clarifies how the building and equipment were funded.

- A construction grant request for \$2,005,867 was submitted February 26, 1970, for a total project cost of \$3,197,800 under HPEA (2 for 1 matching). This application was approved but unfunded.
- A construction grant request for \$3,731,015 was submitted June 8, 1972, for a total project cost of \$4,733,948 under the Comprehensive Health Manpower Act (CHMA) of 1971, formerly the Health Professions Educational Assistance Act. The money came from the Bureau of Health Manpower Education within the U.S. Department of Health, Education and Welfare, Division of Physicians and Health Professions Education. This application was approved but funded for only \$1,711,151, or about one-third of the amount requested (American Optometric Association News, October, 1972).
- In correspondence regarding the release of funds on October 13, 1972, the University gave assurance that it would acquire an additional \$1,000,000 (revenue sharing, legislative appropriation, or University bonds) and provide funds from operating revenues and additional donations to secure \$703,600 for movable equipment.
- In the letter of November 8, 1972, the award amount of \$1,711,151 was divided between construction and fixed equipment in the amount of \$1,445,894 and movable equipment in the amount of \$265,257; with the stipulation that this amount is the "Federal participation in the purchase of eligible movable equipment totaling at least \$703,600".
- The excavation and foundation contract was let December 1, 1972 and substantially completed April 15, 1973. With the required change orders, the total cost for contract A was \$139,391. This funding plus other sources allowed the building project to move forward "but was enough to get started but not enough to complete the building".
- Bids were opened March 6, 1973 for contract B for the construction and Contract C for the fixed equipment. By careful review of all materials and systems, selection of alternates and the inclusion of all applicable items such as architecture and engineering fees, central utilities connections, etc., the adjusted low bid for the complete construction costs were: Construction (B) \$3,365,032 and Fixed Equipment (C) \$320,000.

- The total for contracts A, B, and C were \$3,824,393. This included parking areas beside and under the building. Since there was no federal funding for parking areas they were to be funded from parking revenues to repay state bonds in the amount of \$180,000.
- Not included in the above total was the required movable equipment \$703,600 and a contingency allowance of 2% or \$60,000. As shown in the letter dated October 13, 1972 this was to come from operating funds and additional donations.

- Funds available were:

Federal grant	\$1,711,151
State bond issue	\$500,000
Contributions	\$286,695
Contributions – pledges	\$95,289
University commitment – parking	\$180,000
	Subtotal \$2,773,135
Expected from state revenue sharing	\$1,000,000

Note this is within \$51,258 of the amount required for complete construction and fixed equipment. If the Governor provides more than the \$1 million (request has been made for \$1.5 million), the extra funds can be used to provide for the movable equipment relieving pressure on the operating budget.

- It would be necessary to convince Dr. Bruce that the \$265,257 be moved from the movable equipment category to the construction category. It would be necessary to assure him we will carry out our obligation to purchase \$703,600 of movable equipment to implement the proposed program.
- Timing was of importance as the class size was scheduled to increase over time from the current entering 25 students to 40 students. The earliest this could occur would be 1975. However, by published regulations applicable to the program the school was not required to admit 40 students until three calendar years after the completion of the building (1978). Because of the nature of the program, additional laboratory equipment would not be required until the students had completed one year of the curriculum, that is, 1976 or 1979 (depending on when the increased student enrollment occurs; and there would not be a need for additional clinical equipment until the students have completed two years of the curriculum, i.e., 1977 or 1980).
- This resulted in an increase in funding of the project.

Creative Financing

Anyone who has been responsible for a large building project knows how difficult it is to stay on time and on the planned budget. In spite of the above memorandum to Dr. Hill dated April 24, 1973 a one-page summary dated April 17, 1973 shows an escalated cost of the project not anticipated at its outset in 1970.

BUILDING COST:

Contract Price	\$2,978,255.00
Excavation (Contract A)	\$139,361.00
Building & Excavation	\$3,117,616.00
Fixed Equipment (Casework)	\$320,000.00
Central Utility	\$116,177.00
Architect & Engineering Fee (Estimate)	\$237,700.00
Engineering Fee	\$5,000.00
Movable Equipment	\$703,600.00
Carpet	\$27,900.00
Contingency - 2%	\$60,000.00
Total	\$4,587,993.00

FUNDS AVAILABLE:

Federal Grant	\$1,711,151.00
State Bond Issue	\$500,000.00
Contributions – Cash	\$286,695.00
Contributions – Pledges	\$95,289.00
University commitment – Parking Cost	\$180,000.00
Total	\$2,773,135.00
Deficit	\$1,814,858.00

In a memorandum dated November 16, 1973 from Dr. Brann to Dr. Peters the construction costs had increased almost \$200,000 from \$4,587,993.00 to \$4,736,849.00. Two items had been added to the building cost that included inspection cost (\$25,000) and Site Surveys

(\$4,412). This left a deficit of \$1,143,272.00. Rather than conduct more fundraising, Dr. Brann suggested a UAB Bond Issue for 1973 of \$500,000 and University borrowing \$643,272.00 which totaled the amount of the deficit.

Grant Application to Health and Educational Facilities Program and Other Funding Sources

In a June 13, 1974 memorandum from Dr. Peters to Dr. Hill, Dr. Peters notes that of the three construction grants submitted by the Medical Center to HPEA for Medicine, Dentistry, and Optometry, only the latter did not make it onto the funding list. The two principle reasons for its lack of funding were: Harry Bruce was opposed to optometry's grant because he considered it to be for supplemental funds, rather than for "phased completion". The second reason was that Alabama had already had two grants funded. Clearly this placed optometry in a bind relative to finishing its construction project. The University of Houston College of Optometry had received \$5 million leaving only \$500,000 left in the remaining optometry allocation for HPEA funds.

On July 1, 1974 Dr. Peters notes in a memorandum to Dr. Hill that the building is 70% completed and expected to be ready for occupancy by spring 1975. Available funds were \$4,299,093 and expenditures were now \$5,106,707 leaving a deficit of \$807,614. He reiterates these funds were urgently needed since equipment delivery was scheduled in 9 to 12 months.

Now Dr. Hill turned his attention to potential state funding sources. He wrote a memorandum to Mr. Ehney A. Camp, Jr., of the UA Board of Trustees explaining how the estimated costs of construction change over time. Some of these costs are related to changes in estimates, changes in actual costs, or the inclusion of optional alternatives or differences in the definition as to what constitutes the project. Dr. Hill notified Mr. Camp that depending on the final projection of the cost of the equipment, it was the University's plan to approach the Governor for revenue sharing funds. As of July 15, 1974 the Projected Costs were \$4,691,207 and the total funds available were \$4,457,462 leaving an unfunded deficit of \$237,745.

On March 28, 1974 Dr. Hill submitted a grant application of the Board of Trustees of the University of Alabama on behalf of the UAB School of Optometry. This grant application was for federal assistance under the Health and Education Facilities Program. The application was for support of the phased completion of the educational facilities of the UAB School of Optometry. The total cost-to-completion of this project was \$2,513,707 from July 1, 1974 of which \$1,706,093 was available. This phase 3 request was for \$807,614 or 32% of the cost-to-completion.

Dr. Hill further noted that the original grant application submitted in 1972 was funded for \$1,711,151 even though as a new school it was eligible for \$3,731,015. This request was for the funds necessary to complete this already approved project, provide phased completion of the

essential equipment and systems, and provide a completed facility for the program development and enrollment commitment.

Based on comments made by Dr. Peters in the *25th Anniversary Photographic History 1969 – 1994* the remaining funds to finish the building were made possible by the Governor through revenue-sharing funds for financing the building.

The faculty and staff moved into the completed building on Monday, August 25, 1975 and the building was dedicated on Friday, September 12, 1975. The first class of eight students, of the 10 admitted, reported to class on Thursday, January 25, 1969, instead of Saturday, January 27, 1969 as reported by Dr. Peters in his *25th Anniversary Photographic History*.

Nevertheless, it was a momentous occasion for Dr. Peters who had faced so many challenges in the completion of the building. The effort related to securing funding for completion of the building was just the first in a long list of achievements for this nascent program.