

SPANISH COURT UPHOLDS OPTICIANS- OPTOMETRISTS' SCOPE OF PRACTICE



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Opticians-optometrists in Spain have won an important court case. The Spanish National Court has rejected a challenge by Spain's ophthalmologists' association to the competencies taught in optometry degrees. It also confirmed that opticians-optometrists can call the people they care for "patients".

In a judgment dated 10 April 2026, the Audiencia Nacional dismissed in full the judicial review appeal brought by the Professional Association of Ophthalmologists of

Spain (APOE). The appeal challenged several provisions of Order CIN/727/2009 of 18 March, which sets the requirements for verifying the official university degrees that qualify graduates to practise as opticians-optometrists in Spain. The Court also ordered APOE to pay the legal costs.

WHAT WAS AT STAKE

APOE argued that some of the competencies in the Order belonged exclusively to medical ophthalmologists. The Court disagreed. It found that the Order sets out the competencies students must gain during their university education to qualify as opticians-

optometrists. It also found that this does not breach the Spanish Law on the Organisation of Healthcare Professions (Law 44/2003).

The appeal also targeted the word "patient". APOE said the term should be used only for people receiving medical care. The Court expressly rejected this. It stated that no legal provision reserves the term "patient" for the medical profession. It also recalled that Law 44/2003 recognises opticians-optometrists as healthcare professionals, alongside other non-medical healthcare professions.

"This judgment is particularly relevant to the university education and recognition of opticians-optometrists as healthcare professionals in Spain," said Andrés Gené Sampedro, President of the CGCOO. "It also provides greater legal clarity in response to interpretations seeking to restrict the scope of the academic competencies established for opticians-optometrists."



A SECOND SETBACK FOR ATTEMPTS TO LIMIT THE PROFESSION

This is not the first time that APOE has attempted to challenge the scope of opticians-optometrists'

professional activities. The association has also brought legal proceedings against the VEO Programme, which is being implemented jointly by the CGCOO and the Spanish Ministry of Health.

Through this programme, children under the age of 16 receive vision assessments and, where necessary, are provided with spectacles or contact lenses.

As part of these proceedings, APOE requested interim measures to suspend the programme immediately, arguing that opticians-optometrists should not carry out vision assessments on children under the age of 16. The National Court rejected this request, allowing the programme to continue while the main proceedings remain pending.

The Court has therefore yet to rule on the substance of the case. As Spanish legislation does not prevent opticians-optometrists from carrying out these vision assessments, the CGCOO is confident that the final ruling will uphold their ability to participate in the programme.

LOOKING AHEAD

Mr Gené said the CGCOO would build on the ruling:

"The General Council will continue to work to defend, promote and further develop our profession and to support the appropriate integration of opticians-optometrists within the healthcare system, while fully respecting the competencies of the different healthcare professions and pursuing our shared objective of providing patients with the best possible care."

WHY THIS MATTERS FOR EUROPE

The ruling is good news for Spain, and it matters across Europe too. Many ECOO member organisations face similar efforts to narrow what opticians and optometrists may learn and do.

The Spanish decision shows that a clear legal framework, grounded in university education and recognition as a healthcare profession, can hold up against such challenges.

We hope it encourages colleagues across Europe to keep advancing optometric practice in their own countries.

