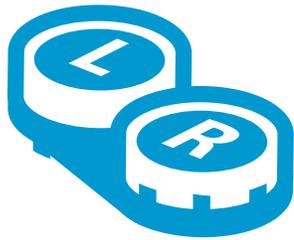


Help Make Prescription Verification Simpler and Safer for Contact Lens Patients

Co-Sponsor H.R. 3353/S. 1784, the Contact Lens Prescription Verification Modernization Act

Reps. Bobby Rush (D-IL), Michael Burgess, M.D. (R-TX), Lisa Blunt Rochester (D-DE), and David McKinley (R-WV) and Sens. Tammy Duckworth (D-IL) and John Boozman, O.D. (R-AR) introduced the bipartisan Contact Lens Prescription Verification Modernization Act (H.R. 3353/S. 1784) **to help make the contact lens prescription verification process simpler and safer for millions of Americans.**



45 million
Americans choose contact lenses for their vision correction needs.

Contact lenses have long been recognized in law and regulation as medical devices. Today, roughly 45 million Americans choose contact lenses for their vision correction needs. All contact lenses, even cosmetic ones, require a prescription and must be properly fitted and prescribed by a doctor of optometry or other eye doctor (ophthalmologist) following an eye health and vision exam to determine a patient's suitability for contact lens wear.

Although contact lenses are safe and effective, their **improper use or fit can lead to serious health complications**, including:

- Infections
- Corneal Edema
- Ulcers

A poor-fitting contact lens can also lead to an irreversible growth of blood vessels in the eye (corneal neovascularization) which can result in:

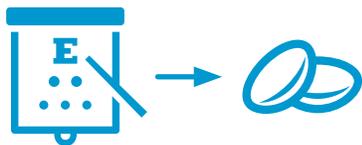
- Scarring
- Infections
- Blindness
- Removal of the eye due to persistent, uncontrollable pain

Summary

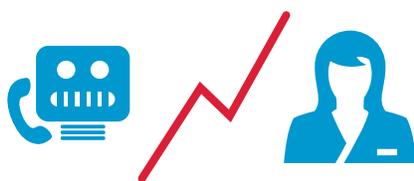
Contact lenses are a safe and popular choice for vision correction. Because ill-fitting or improperly-used contact lenses can result in serious eye and vision conditions, the FDA regulates contact lenses as Class II and Class III medical devices which require an eye doctor's prescription and oversight. Both the FDA and the CDC inform patients that contact lenses are not "one-size-fits-all" devices and that regularly-scheduled comprehensive eye exams are critical to ensuring optimal eye health.

Through the Fairness to Contact Lens Consumers Act (FCLCA), Congress charged the FTC with enforcing contact lens prescription verification requirements. However, lax FTC enforcement of unscrupulous online contact lens sellers and the continued use of problematic verification robocalls has led to a growth in illegal sales, including through the filling of expired or non-existent prescriptions and the filling of prescriptions with devices other than what was prescribed by the doctor.

The American Optometric Association and the Health Care Alliance for Patient Safety support the bipartisan **Contact Lens Prescription Verification Modernization Act (H.R. 3353/S. 1784)**, to help **modernize the contact lens prescription verification process and make it simpler and safer for millions of contact lens wearers.** U.S. House and Senate members are asked to co-sponsor the Contact Lens Prescription Verification Modernization Act (H.R. 3353/S. 1784).



The U.S. Food and Drug Administration (FDA) regulates **contact lenses as Class II and Class III medical devices which require an eye doctor's prescription and oversight.** The FDA and the U.S. Centers for Disease Control and Prevention (CDC) inform patients that contact lenses are not "one-size-fits-all" devices and that **regularly-scheduled comprehensive eye exams are critical to ensuring optimal eye health.**



Increasingly, online contact lens **sellers are using verification robocalls that are difficult to understand, do not include all of the necessary information to confirm the prescription, and create barriers for doctors to communicate back the necessary prescription corrections**—including that the request is being made for the wrong devices or for an individual that is not a patient of that doctor. Some online sellers are knowingly taking advantage of the current "passive verification" system (doctors have eight business hours to respond or the prescription is considered verified) to sell medical devices to patients not prescribed by an eye doctor—needlessly placing them at risk.

Help make the prescription verification process simpler and safer for contact lens patients: **Co-sponsor the Contact Lens Prescription Verification Modernization Act (H.R. 3353/S. 1784).**

The members of the American Optometric Association—America's Family Eye Doctors—are the nation's frontline providers of eye and vision care. Doctors of Optometry serve patients, including America's seniors, school-age children, veterans and military service personnel, in about 10,000 communities across the country.

A 2016 patient survey highlighted the scale of the problem:

1 in 3

patients were able to purchase lenses using an already-expired prescription.

&

1 in 4

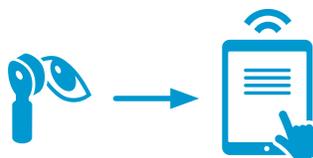
patients reported receiving different medical devices than those prescribed by their eye doctor.



Today, millions of contact lens wearers purchase lenses online through Internet mass retailers. As a patient health safeguard, the FCLCA requires online sellers to verify the validity of contact lens prescriptions with the patient's doctor before fulfilling an order.

While the FCLCA clearly allows telephone, fax, or email for verifying prescriptions, the FTC has interpreted the law to allow robocalls as well. However, the use of robocalls to confirm the accuracy of a prescription, which includes specific numbers for strength, base curve and quantity, is far too complicated for an automated phone system.

The Contact Lens Prescription Verification Modernization Act (H.R. 3353/S. 1784) would also further empower patients by ensuring that online contact lens sellers offer a **method for allowing patients**



to upload an electronic copy of their contact lens prescription, thereby skipping the verification process altogether.

To co-sponsor the Contact Lens Prescription Verification Modernization Act (H.R. 3353/S. 1784) in the House, please contact **Nishith Pandya in Rep. Rush's office at 5-4372 or Rachel Huggins in Rep. Burgess' office at 5-7772.** To co-sponsor in the Senate, please contact **Jessica Liu in Sen. Duckworth's office at 4-2854 or Ryan Losack in Sen. Boozman's office at 4-4843.**

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 **AMERICAN OPTOMETRIC ASSOCIATION**

Co-Sponsors of the Contact Lens Prescription Verification Modernization Act (H.R. 3975) in the Previous 116th Congress

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Arkansas Crawford (R), Westerman (R), Womack (R)

California Cisneros (D), Cox (D), Harder (D), Lee (D), Lofgren (D), Lowenthal (D), McNerney (D), Napolitano (D), Torres (D)

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Pennsylvania Evans (D), Fitzpatrick (R), Lamb (D), Reschenthaler (R), Smucker (R)

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Texas Burgess (R), Flores (R), Gooden (R), Jackson Lee (D)

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