

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5195

To require the Federal Trade Commission to issue a trade regulation rule which requires the release of prescriptions for contact lenses.

---

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 1994

Mr. STARK introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To require the Federal Trade Commission to issue a trade regulation rule which requires the release of prescriptions for contact lenses.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Contact Lens Prescrip-  
5        tion Release Act”.

6        **SEC. 2. PRESCRIPTIONS FOR CONTACT LENSES.**

7        (a) IN GENERAL.—The Federal Trade Commission  
8        shall amend its trade regulation rule on ophthalmic prac-  
9        tice published at 16 C.F.R. 456 to require the release of  
10       a prescription for contact lenses after the contact lens fit-

1 ting process is completed regardless of whether or not the  
2 patient requests the prescription.

3 (b) DEFINITIONS.—For purposes of subsection (a)—

4 (1) the term “prescription” means the specifica-  
5 tions necessary to obtain contact lenses and includes  
6 data on the refractive status of patient’s eyes,

7 (2) the term “contact lenses fitting process is  
8 completed” means the process which begins after the  
9 initial eye examination and includes an examination  
10 to determine what the lens specifications should be,  
11 the purchase of hard or soft lenses, and an initial  
12 evaluation of the fit of the lens on the patient’s eyes  
13 and follow-up examinations over a period of approxi-  
14 mately 6 months and is completed when the lens fit-  
15 ter is satisfied that a successful fit has been  
16 achieved.

17 **SEC. 3. EFFECT ON STATE LAW.**

18 The prescription release requirement of section 2  
19 does not affect any State law which permits the release  
20 of prescriptions for contact lenses on terms which are not  
21 more restrictive than the terms of section 1 or regulates  
22 who is to be legally permitted to fit contact lenses.

○