

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1454

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

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IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1995

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

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## 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 of 1995”.

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 prescriber

1 to offer to release a copy of the prescriber's prescription  
2 for contact lenses—

3 (1) after the contact lens fitting process is com-  
4 pleted, or

5 (2) in the case of a renewal of a prescription,  
6 immediately if there is no change in the prescrip-  
7 tion's specifications,

8 regardless of whether or not the patient requests a copy  
9 of the prescription. Such a prescription shall expire 2  
10 years from the date of its issue unless the prescriber other-  
11 wise specifies based upon the medical judgment of the pro-  
12 vider.

13 (b) DEFINITIONS.—For purposes of subsection (a):

14 (1) The term “prescription” means the speci-  
15 fications necessary to obtain contact lenses and in-  
16 cludes data on the refractive status of patient's eyes  
17 and clearly notes that the patient is suitable for con-  
18 tact lenses.

19 (2) The term “prescriber” means an ophthal-  
20 mologist or optometrist who performs eye examina-  
21 tions under a license issued by a State.

22 (3) The term “contact lens fitting process is  
23 completed” means the process which—

24 (A) begins after the initial eye examination  
25 and includes an examination to determine what

1 the lens specifications should be, the purchase  
2 of lenses, and an initial evaluation of the fit of  
3 the lens on the patient's eyes and follow-up ex-  
4 aminations, and

5 (B) is completed when the prescriber is  
6 satisfied that a successful fit has been achieved.

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

8 The prescription release requirement of section 2  
9 does not affect any State law which permits the release  
10 of prescriptions for contact lenses on terms which are not  
11 more restrictive than the terms of section 2 or regulates  
12 who is to be legally permitted to fit contact lenses.

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