

**From:** Doug Ball  
**Sent:** Wednesday, March 24, 2004 2:15 PM  
**To:** CONTACTLENSRULE  
**Subject:** Contact lens rule project # R411002

March 6, 2004

TO: FEDERAL TRADE COMMISSION

RE: CONTACT LENS RULE, PROJECT NO. R411002

I am writing to express some concerns and suggestions pertaining to the Contact Lens Rule, Project R411002. I realize you will be receiving many letters and suggestions concerning this matter. I want to make three suggestions that I would like for you to consider when formulating the rules for this legislation:

#### 1. STANDARDIZED CONTACT LENS VERIFICATION REQUEST

Each internet company has its own request form, some of which are incomplete. I received a request last week that didn't even have a place to state that the Rx was expired! I wrote expired across the Rx, and faxed it back. I promptly received another fax stating that I was in violation of the Burr act by not "verifying" the expired prescription. If the prescription is expired, the Rx written on the verification request form is not valid. A standardized form would streamline our office verification immensely.

#### 2. MANDATORY NOTIFICATION TO THE DOCTOR OF ALL RX REFILLS.

There are currently no provisions in this legislation to prevent a patient from going to 10 different internet companies and purchasing lenses. They could theoretically purchase a 10 year supply of contact lenses using this technique. I personally have several patients that have on hand a year supply of contact lenses, when in fact their prescription expired 12 months prior. This would also prevent internet companies from "over selling" product to the patients. The internet advertising often states that if you purchase an "additional 8 boxes" (another year's supply) we will give you an additional discount. These internet companies are clearly not looking out for the consumers best interest and ocular health, but simply trying to make as much money as they possibly can off of each consumer.

#### 3. ELIMINATION OF ALL AUTOMATED PHONE VERIFICATION REQUESTS

What a nightmare! It is absolutely not practical in a busy office to spend 10 minutes with an automated phone request! It takes several minutes to locate the patient's record; often the doctor has to be interrupted to confirm the request if there is a question; it makes the patients that are standing there in our office feel as if they are dead last on the priority list!

Thank you for allowing me to express my concerns and offer a few suggestions.

Respectfully,

Douglas E Ball OD