

From: Thomas A. Stout
Sent: Friday, March 26, 2004 9:06 PM
To: CONTACTLENSRULE
Subject: Project #R411002



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Dear Sir/Madam:

I am writing to express two concerns about the newly enacted "Fairness to Contact Lens Consumers Act".

First, I have received numerous faxes asking for a patient's contact lens Rx from a mail order vendor, most often, 1-800-contacts. These faxes invariably arrive on Friday at 5:10pm or Saturday. These are times that we, like most professional/medical offices are closed. With the existing 8 hour response rule, we are unable to respond until the time has passed. Thus the vendor is free to sell contacts to the consumer without any input from the prescribing doctor. I find it most unusual that these invariably do NOT arrive during the normal business week. At the very least, the response time limit needs to be extended to 72 hours.

Secondly, the vendors are simply "order-fillers", and are devoid of any clinical training. Unlike the pharmacy analogy, where prescriptions are filled by trained and licensed people (wherein professional judgement may be utilized to safely fill, or not fill, the Rx). I have personally seen numerous contact lens requests where the patient has not been seen in our office for over 5 years. With the 8 hour expiration rule, the vendor is free to sell these medical devices to the consumer without any professional expertise or judgement. The unknowing consumer is at risk.

Thank you,

Thomas A Stout, OD, FAAO
Morgantown Eye Associates, PLLC
Drs Stout & Kress EyeCare, LLC

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