

From: wanda walkowiak
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To: CONTACTLENSRULE
Cc:
Subject: R411002

To Whom it may concern:

I think patients should have access to their contact lens prescription.

As an Eye Doctor for about 15 years I had a misguided belief in my early years of practice, that patients would always want to do what was best for themselves and their eyes. I learned over time that this wasn't always the case, more than I would like to think. I guess that's why our society has rules and laws that guide us to conform, though we may not always like them, they are generally in our best interest.

My point is, that's why contact lenses are a FDA regulated medical device, if used inappropriately serious harm can ensue, I.e. partial or total blindness may result. Of course there is a long list of other consequences too long for this discussion. The dispenser of medical devices like eyeglasses and contact lenses (Ophthalmologist, Optometrist, and Opticians) have years of training and clinical expertise. If trends are detected, a patient "going thru" too many lenses, you can question the patient as to why this is the case. maybe they are getting an excessive amount of protein build up on their lenses which could be an indicator of an underlying medical condition, or simply they're ripping the lenses too often, a new fit would solve the problem. My point, as a Clinician, having control is part of the care.

Some problems I see with the contact lens fairness law are:

- 1.) Expiration should be more than a time component. There needs to be a quantity component. A year supply of 2 week disposables is thought to be 8 boxes by industry standards. We could add another 2 boxes for a cushion and make it 10 boxes total, 5 for each eye. The way the law is now, a patient could order a 3 year supply the day before the prescription expires. This patient won't get eyecare for another 3 years. When we write a prescription for pharmaceuticals, it always has a quantity, why is this different.
- 2.) If the patient buys a year supply of contact lenses, there is no prescription, it's been filled. null and void. You don't go to your pharmacist fill the prescription, then ask for it back, they will laugh at you. Why is this different.
- 3.) Eight hours is an unfair time limit to respond to a fax, I wish we could stand by the fax machine waiting all day for faxes, pulling charts, stopping in between exams reviewing those charts, and then responding. Three business days would be a more appriopate time.
- 4.) Lack of response by fax in 8 hours is silly, you are confirming a prescription, not a shoe brand. If they get no response, the Doctor's office may be closed that day. They then need to confirm the prescription by phone or mail. The lack of fax response is a loop hole for the sellers to say "we never got a response".
- 5.) This all sounds like it's against hipa policy to reveal confidential medical information without our knowledge in writing by the patient.

Andrew Walkowiak O.D.