

Jeff Mays  
American Optometric Association  
703-739-9497

RE: Comments for the Contact Lens Rule

Mr. Mays;

We are an optometric practice in the state of Pennsylvania.

We are submitting this letter concerning an incident with 800 CONTACTS over a prescription that was filled for a patient of ours. This particular patient was in for a contact lens fitting in September of 2003. She was a previous wearer and needed a toric lens. The doctor fit her with a ProClear Toric lens and we gave her a trial lens to try; and she never came back in for any follow-up visits.

In December of 2003, we received a fax from 800 CONTACTS wanting to verify a prescription for this patient for Acuvue 2 Colors lens. We faxed back the verification; and specified that the patient needed a toric lens.

On March 29, 2004 we received another verification request from 800 CONTACTS for this patient. This time the request was for a Sofilens 66 Toric lens; which we had not prescribed or seen on the patient's eyes. The fax came late Tuesday afternoon; our office was closed Wednesday as always; so we weren't able to get the fax back until Thursday morning. We called 800 CONTACTS to let them know not to fill the prescription because not only was it a different lens than what was fitted; but the power for the right lens was incorrect. On the verification we faxed back, we had noted the correct prescription for them to fill.

The gentleman we spoke with told us that the patient order was sent out on Saturday; the 27th of March; which was 3 days BEFORE we received the verification request. His comment was that they had to fill prescriptions within 24 hours and we were to respond to the verification within 8 hours (he didn't say 8 business hours which is the correct amount of time and different from 8 hours). We told him that we didn't even get the

verification until the 29th of March and his answer was that patients "know how to get around the system by ordering late on a Friday or weekends when offices are closed and it is hard to get the verification". He also mentioned that this particular patient had been jumping around with different types of lenses; apparently ordering what she wanted and using our office as well as another doctor's office. However, she used our office to fill this last incorrect prescription.

So this is a case of 800 CONTACTS filling a request without getting verification first or even sending out the verification until after the fact. We contacted the patient on March 30th also and her father told us she had gotten the contacts a "few days ago" and she stated they felt okay.

In the past, we have also had a problem with 800 CONTACTS calling and leaving a message on our answering machine requesting verification. However, they always call after hours when the office is closed; and do not allow for an outgoing message on the answering machine so that when it starts recording; they've already gotten past the patient's name and type of lens so all we could get off the message was a partial prescription and no way of finding out who the patient was to verify the RX. We have no problem verifying current prescriptions for patients; however we would appreciate them following the law in regards to verification.

Sincerely,



Mark S. Rakoczy, O.D.