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Sent: Monday, April 05, 2004 5:03 PM
To: CONTACTLENSRULE
Subject: Contact Lens Rule, Project No. R 411002

Comments from Georgia on Proposed Contact Lens Rule

In 1991, Georgia became one of the first states mandating the release of a patient's contact lens prescription. Georgia's contact lens prescription release law did however prohibit mail-order sales of contact lenses. Georgia optometrists were not then and are not today opposed to their patients shopping for the best deal when purchasing their contact lenses. They are however opposed to any system which encourages consumers to purchase lenses without a valid, current prescription.

Georgia optometrists concerns include:

Problems with the current verification system - specifically the computer generated telephone verification system does not allow an optometrist to maintain appropriate medical/legal records. There are problems arising from optometrists not being able to contact the CL seller because no phone number has been provided, or the patient's name has not been provided, or the computer system simply stays "busy" and no contact may be made. Similar situations have been reported with FAX transmissions....sellers don't appear to have an adequate number of lines to support all of the responses they are requesting.

Too often calls for verification are made after hours not permitting the optometrist to verify within the allotted 8 hour period. If there is no one in the office, there is no way a verification may be returned in the allotted period of time. In a very rural state like Georgia, many optometrists have multiple offices and may not be in a specific office but one or two days a week. To expect that optometrist to respond to a computer generated phone call or FAX request for prescription verification is unreasonable.

Sellers which have no limitations on the number of refills they supply for a consumer within a one year period, make a mockery of the time limitations of a valid prescription. The optometrist should be notified in writing if and when a prescription has been filled. That information then becomes part of the patient's file and provides the necessary information to the prescribing optometrist on how many refills are necessary to complete the patient's prescription. Without a valid refill verification system, a patient could essentially order a lifetime supply of lenses with a one-year prescription. As with any other prescription, a system to regulate the number of times a refill has been made should be in place.

Experience has shown that sellers of lenses have different means and forms for verification of a prescription. Some are just a name and code number; some require a form check list. There are even those who when they do not receive an answer to their first request send a second. A uniform, FTC approved form should be used when requesting prescription verification. Such a form should include space for the prescribing doctor to write in the correct prescription; a box to check that the patient is or is not a patient of that doctor; expiration date of the prescription; number of refills permitted within that prescription period.