

MEMO

Date: April 5, 2004

To: FTC Staff

Re: Contact Lens Rule, Project # R411002

From: Betty Broyles, Contact Lens Technician
Drs. Hawks, Besler & Rogers

KS

For the last three years, I have been responsible for handling all contact lens prescription requests and presenting the information to the doctors for their review in a four-doctor practice. Based on my experiences, I have concerns regarding the lack of communication from contact lens sellers.

It is frustrating to call the seller with questions concerning the verification request and not have those questions answered. I have found that the majority of the operators are not trained, or do not have access to the information needed, to answer my questions. On multiple occasions, I have been told there are no open orders for the patient or for our office when we have received a fax verification. Surprisingly, I have had little success even when giving the seller the customer number as listed on the verification request. Several times it has required multiple phone calls to try to obtain information.

The long-term philosophy of our practice has been to respond to verification requests as soon as possible with a goal of one to two hours. However, when a question arises and the seller is contacted by phone we will only occasionally receive a reply within a business day. When the seller is contacted by fax, we have rarely received a response. When a request shows an incorrect contact lens parameter, an invalid prescription, or a request from a non-patient and we fax in the appropriate information, we have never received clarification of the change or the cancellation of the invalid order from the seller.

I spend a significant amount of time trying to gather information so we can respond in a timely manner and to ensure our patients receive the correct contact lenses. Unfortunately, it has primarily been a one-way communication effort.