



American Optometric Association

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Ronald L. Hopping, O.D., M.P.H.
President

January 15, 2013

Donald S. Clark
Secretary
Federal Trade Commission
Room H-113 (Annex M)
600 Pennsylvania Avenue NW.
Washington, DC 20580

Subject: Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003, as Amended by the Red Flag Program Clarification Act of 2010

Dear Secretary Clark,

The American Optometric Association (AOA) represents approximately 36,000 doctors of optometry, optometry students and paraoptometric assistants and technicians. On behalf of these members, the AOA supports the Federal Trade Commission's (FTC) issuance of interim final regulations that implement the Red Flag Program Clarification Act of 2010. These regulations appropriately reflect the intent of Congress and amend the definition of "creditor" from the original Red Flags Rule.

The AOA has long held the position that health professionals, including optometrists, should not be considered "creditors" required to comply with the anti-identity theft requirements of the Red Flags Rule. The FTC interim final regulations appropriately delineate the conduct that would trigger creditor compliance with the Red Flags Rule. These interim final regulations strike the appropriate balance between protecting consumers and ensuring that health professionals are not unduly burdened by misapplied regulations. The AOA appreciates the FTC's clarification on the application of the Red Flags Rule.

Please contact Rodney Peele, Esq., Assistant Director for Regulatory Policy and Outreach at rpeele@aoa.org or (703) 837-1348 if you have questions or need additional information about these comments.

Sincerely,

Ronald L. Hopping, O.D., M.P.H.