

United States Senate
WASHINGTON, DC 20510

September 29, 2015

The Honorable Edith Ramirez
Chairwoman
Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580

Dear Chairwoman Ramirez,

I understand that, in accordance with its regulatory review schedule, the Federal Trade Commission (FTC) is reviewing the Ophthalmic Practice Rules (“Eyeglass Rule”). I am glad that the Commission has opened the proceeding, and I write today to formally submit comments. In summary, I urge the Commission to consider changes that will modernize the existing regulatory environment and better reflect and respond to the needs of both consumers and businesses in the current marketplace.

The prohibitive cost of glasses is a problem that affects the majority of American families. The Centers for Disease Control and Prevention (CDC) have identified vision loss as a serious public health issue that promises to worsen over the next three decades. More than 100 million Americans are affected by vision loss, and given the negative impact that poor vision can have on worker productivity, automobile safety, and school performance, eyeglass affordability is a critical consumer issue that affects the entire country.

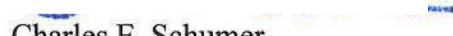
Given the high demand for eyeglasses, there should be extensive and healthy competition keeping prices affordable. However, as any American who has purchased glasses knows, prices are anything but reasonable. In particular, today’s rules should take advantage of the innovations in e-commerce to facilitate comparison shopping and competition. I urge the Commission to consider, among other changes, requiring optometrists to provide complete prescription information (including pupillary distance measurement) to consumers and to verify prescription information to third party dispensers. The omission of these elements in current rules limits consumer choice and leads to higher prices. In addition, the Commission should consider whether short term prescriptions (for example, a year or less), are appropriate or fair for consumers given that vision does not necessarily change more rapidly.

Of course, the Commission should be mindful that there may be unscrupulous online retailers who try to take advantage of American consumers by offering cheap, low-quality eyewear. As the Commission considers updates to its rule, it must ensure that the changes protect high-quality, legitimate online providers without encouraging the bad actors.

The Commission has done a great job keeping the Contact Lens Rule updated to match evolving market and technological conditions; I urge it to do the same with the Eyeglass Rule.

Thank you for your prompt attention to this matter. I look forward to hearing from you on this issue.

Sincerely,


Charles E. Schumer
United States Senator