



October 26, 2015

Federal Trade Commission

RE: Request for Public Comment on Trade Regulation Rule

Ophthalmic Practice Rules (Contact Lens Rule) 16 CFR Part 456

Professional Opticians of Florida is pleased to offer comments regarding the review of Contact Lens Rule 16 CFR part 315 Project No. R511995.

For more than thirty years POF has been dedicated to protecting and promoting the value and validity of the profession of Opticianry. By offering a multitude of services to our members, POF enhances professional practice through the provision of top-quality continuing education, monitoring and influencing legislative and agency issues impacting Opticians, maintaining its own Political Action Committee; Opticians for Better Vision and keeping members current on the latest developments in vision care.

Professional Opticians of Florida (POF) promotes excellence for Eye Care Professionals (ECP's) through conferences, educational programs, webinars, seminars and clinical training. The association provides networking opportunities, publications, and research services for those involved with, or affected by, vision care issues in Florida. The Board of Directors represents multiple chapters throughout the state and is committed to the principles of accountability, integrity and fairness.

Opticians are health care professionals trained to supply, prepare and dispense optical appliances, interpret prescriptions prepared by Ophthalmologists and Optometrists, and fit, adjust and adapt optical appliances. Delivering high quality, safe and ethical care to the public of Florida is ensured through regulation and licensing under the Florida Department of Health. Practicing in accordance with standards and guidelines, Opticians work with their patients to create, with technical precision, visual appliances that meet their individual needs while ensuring the highest standard of ethical care.

A Florida Licensed Optician may fill, fit, adapt or dispense soft contact lenses, extended wear contact lenses or hard contact lenses only to the extent authorized and under the supervision of the prescribing medical doctor or Optometrist. A Florida Board-Certified Optician is a Florida licensed optician that may fill, fit, adapt, or dispense any soft contact lens prescription without the direct supervision of the prescribing doctor. A Board-Certified Optician may fill, fit, adapt, or dispense any extended wear or hard contact lens prescription to the extent authorized to do so by the prescribing allopathic or osteopathic physician or Optometrist, FL Statue 484.002(6).

Regarding the FTC's request for comments on general issues, POF has the following comments:

1. There is a continued need for the Contact Lens rule to increase benefits to consumers.
2. Modify the rule to prohibit the use of expiry dates on prescriptions for vision correction for adult patients with low risk factors.

Rationale

The right of patients to access the information in their record or direct that the information be transferred to another health care provider should not be limited in any manner, except as allowed by regulation. Patients should have the right to fill their prescriptions at the dispensary or pharmacy of their choice.

Ophthalmological clinical guidelines^{1,2} provide a recommended timetable for periodic eye in healthy adults that are asymptomatic and low risk. In these cases it is not in consumer's best interest to be lead to believe that they should have eye examinations on a more frequent basis. In those cases where an expiry date is appropriate, Optometrists should be required to communicate this information to the patient so it is understood why it is not appropriate to fill the prescription after the specified date.

Licensed Opticians are required to provide appropriate follow-up care for their contact lens patients including but not limited to check ups and regular appointments to ensure wearing schedules and cleaning systems are being adhered to. In the event that a situation arose which required Optometric or Ophthalmological intervention, the appropriate referrals are made immediately.

3. Appliance-specific instructions should be prohibited unless clinically necessary.

Rationale

The prescription should include only those items that are necessary for the preparation of the contact lenses. The sphere, cylinder and axis are essential to most prescriptions. Other elements are essential in some cases: for example, reading addition, prism, or vertex distance of the refraction. Clinical justification should exist when a prescription contains appliance-specific information and the patient should be made aware of the recommendations and purpose. Licensed eye care providers are and should be required to take appropriate contact lens measurements to ensure the patients safety.

4. Best corrected vision should be required on all prescriptions.

Rationale

This information is a critical data point for eye care providers in order to dispense optical appliances. Consumers should be informed about their best possible corrected vision along with information to help them understand why this is the case.

Professional Opticians of Florida appreciates this opportunity to comment on these important matters. We hope our submission will assist you in your decision making process. Should you require any additional information or have any questions, please do not hesitate to contact us.

Respectfully Submitted,

David Couch, Licensed & Board Certified Optician
President
Professional Opticians of Florida
1947 Greenwood Drive
Tallahassee Florida 32303
850 201 2622
www.pof.org

¹ **American Academy of Ophthalmology: Comprehensive Adult Medical Eye Evaluation**

AAO Preferred Practice Patterns Committee, September 2010

www.aao.org

COMPREHENSIVE MEDICAL EYE EVALUATION FOR ADULTS WITH NO RISK FACTORS

Age (years) Frequency of Evaluation:

- 65 or older Every 1–2 years
- 55–64 Every 1–3 years
- 40–54 Every 2–4 years
- Under 40 5–10 years

Interim eye evaluations, consisting of vision examinations (refractions, eyeglasses, contact lens evaluations, etc.), may be performed during these periods as well. Patients with risk factors for disease or symptoms and signs of eye disease, and patients who desire an examination, may have additional evaluations during these periods.

² **Canadian Ophthalmological Society evidence-based clinical practice guidelines for the period eye examination in adults in Canada**

Clinical Practice Guideline Expert Committee, December 14, 2006

www.cos-sco.ca

RECOMMENDATIONS

1. Screening intervals in the asymptomatic low-risk patient

- Age 19–40 years: at least every 10 years [Consensus]
- Age 41–55 years: at least every 5 years [Consensus]
- Age 56–65 years: at least every 3 years [Consensus]
- Age > 65 years: at least every 2 years [Level 19]

2. Screening in symptomatic patients

Any patient noting changes in visual acuity, visual field, color vision, or physical changes to the eye should be assessed as soon as possible [Consensus].