



Established in 1902

January 17, 2017

Chairwoman Edith Ramirez
Federal Trade Commission
Office of the Secretary, Constitution Center
400 7th Street SW, 5th Floor, Suite 5610 (Annex C)
Washington, DC 20024

Dear Chairwoman Ramirez,

The Florida Optometric Association (FOA) is a nonprofit organization made up of 1500 optometrists across the state. The mission of the FOA is to advance and promote the quality, availability, and accessibility of primary eye care and related health care of Florida's citizens; to represent the profession of optometry; to enhance and promote the independent and ethical decision-making of its members; and to assist and enable optometric physicians to practice their profession so as to ensure the highest standards of patient care.

The FOA was disappointed to learn that the FTC will not, under its existing authority, seek to more-fully address unscrupulous business practices of online contact lens sellers that have been putting the health and safety of patients at risk for more than a decade. We oppose the new FTC proposal to require that all contact lens wearing patients sign an acknowledgement of receipt of a contact lens prescription and that optometrists keep this form on file for years. This requirement seems to be a heavy-handed step which presupposes that all doctors of optometry are not complying with federal law. It also would seem to disrupt the doctor-patient relationship by communicating to patients that they should be wary of their physician and assume that their doctor is a violator of federal law.

Additionally, while the FTC seems to dismiss the potential burden on physicians for complying with this requirement, the proposal would undoubtedly add new costs for doctors and patients. It would require an additional step in the patient engagement process, which would necessitate ongoing staff training to ensure that doctors are meeting this unprecedented requirement. It would also require that doctors maintain these patient-signed forms for a number of years for possible review at a later date. In the past, FTC has underestimated and subsequently corrected the estimated burden on physicians for complying with the Contact Lens Rule. I am concerned that the FTC is again underestimating the potential impact of these changes.

The FOA respectfully requests that the Commission look again at the costly impact of this burdensome proposal and, in doing so, give new and careful consideration to how it will harm tens of thousands of small and mid-sized eye care practices in communities across our country and serve as the basis for an utterly false and hostile presumption for optometrists' patients.

Sincerely,

Sarah Langley
Operations Manager