

*Dr. William J. Ross*  
THERAPEUTIC OPTOMETRIST

Chairperson 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 Chairperson Ramirez,

I am an optometric physician practicing in New Jersey. Our office provides care for contact lens wearing patients. In accordance with the American Optometric Association's Standards of Professional Conduct, our primary ethical responsibility is to place patients' interest above our own.

I was disappointed to learn that the FTC will not, under its existing authority, seek to more-fully address the many 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. Expired contact lens prescriptions are regularly processed and filled by these online business. Requests for verification are made over the weekend or after hours. These online vendors also actively encourage patients to re-order a stockpile of lenses just prior to the expiration date touting it as a way to avoid a visit to the optometrist. These violations of the FCLCA by third party resellers simply and intentionally place the patient at risk by encouraging the avoidance of the eye health exam based on their concern of profit not health care. These annual exams are necessary to ensure the health and safety of the patient and are endorsed by the educated professionals in the Academy of Ophthalmology, American Academy of Optometry, and the American Optometric Association

I **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 this form be kept on file for years. This requirement seems to be a heavy-handed step for the small business owner and does not hold these unscrupulous vendors accountable for patient health. The proposal would undoubtedly add new costs for both doctors and patients. It would require an additional step in the patient engagement process. It would require us to create and maintain a system of storage

for these patient-signed forms. 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.

It would also disrupt the doctor-patient relationship by requiring patients to sign yet another form, placing a burden on patients' time and their ability to understand what they are signing. As a patient myself, I can relate to the frustration patients feel when seeking healthcare due to an increasing number of forms and consents placed in front of us to process and understand. Processes are burdensome to all involved, taking valuable time and resources without an improvement in the care being received. Healthcare providers are burning out from the constant barrage of rules and requirements, when we want to focus on the patient experience and improving their health.

Accordingly, I respectfully request 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 while unscrupulous online vendors continue to blatantly disregard patient eye health and vision safety for the sake of a bottom line profit.

Thank you for the opportunity to comment on this important issue.

Sincerely,

William J. Ross, Optometric Physician