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## United States Senate

WASHINGTON, DC 20510

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COMMITTEES:  
AGRICULTURE  
APPROPRIATIONS  
ENERGY AND NATURAL RESOURCES  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
INDIAN AFFAIRS

The Honorable Maureen K. Ohlhausen  
Acting Chairwoman  
Federal Trade Commission  
600 Pennsylvania Ave, NW  
Washington, DC 20580

Dear Acting Chairwoman Ohlhausen:

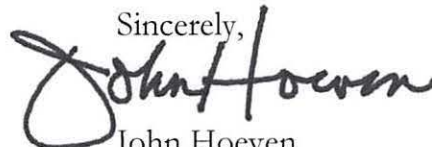
I am writing to you regarding concerns I have heard pertaining to the Federal Trade Commission's (FTC) proposed amendments to the Contact Lens Rule. Thank you for your consideration of this matter.

Under the Fairness to Contact Lens Consumers Act (FCLCA), signed into law in 2004, the FTC was given an important role in overseeing and ensuring competition in the contact lens industry. As you are aware, in order to ensure that consumers are free to buy contact lenses from any supplier, contact lens prescribers are required to provide consumers with a copy of their contact lens prescription. In late 2016, the FTC issued proposed amendments to the Contact Lens Rule that would require eye care prescribers obtain from their patient a signed document indicating that the patient received a copy of their contact lens prescription. Prescribers would then be required to keep this record for at least three years.

While the goal of the proposed amendments—to ensure that eye care prescribers are complying with the law and patients are receiving a copy of their prescription—is well-intended, I have heard concerns from eye care professionals in my state that this regulation is overly burdensome and costly, particularly to those who have smaller practices. The FTC itself estimates that the new mandate would cost the industry roughly \$10.5 million, amounting to a significant expense for the small business owners across my state.

I believe that the FTC should take appropriate action against prescribers that intentionally violate the law. However, I share my constituents' concerns that the FTC's proposed amendments could present an undue burden on smaller practices in my home state. That is why I request that the FTC reconsider the proposed amendments and instead work with contact lens prescribers, as well as consumer protection and patient groups, to ensure that the FTC fully enforces the law without unnecessarily burdening eye care prescribers with onerous paperwork requirements. Thank you for your consideration of this request, and I look forward to your reply.

Sincerely,



John Hoeven  
U.S. Senator