

United States Senate

November 17, 2017

Federal Trade Commission
Received
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Chairman

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

Dear Acting Chairwoman Ohlhausen:

As you know, the Federal Trade Commission (FTC) oversees and enforces key provisions of the Fairness to Contact Lens Consumers Act (FCLCA), which requires optometrists and ophthalmologists to provide patients with a copy of their contact lens prescription.

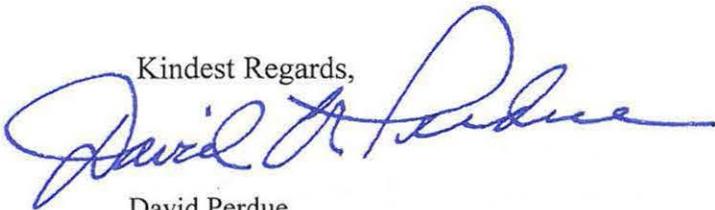
In 2016, the FTC issued a proposed rule that would increase compliance with the FCLCA prescription release mandate by requiring contact lens prescribers to obtain signed acknowledgements from patients stating they received a copy of their prescription. According to FTC estimates, this mandate could cost practices almost \$10.5 million in the first year. Independent analysts have estimated the price tag to be even higher.

Although I understand the FTC's goal of ensuring compliance with the FCLCA, there were only 309 consumer complaints out of nearly 200 million prescriptions issued within a five-year period. This costly rule imposes an unnecessary regulatory burden without significant cause.

Rather than implementing this rule, the FTC and Congress should work together to maximize compliance without adding unnecessary burdens and hindering patient access to care. For example, requiring posted notices that detail a patient's rights under the act would inform consumers without adding a costly regulatory burden.

I respectfully request the FTC to reconsider its proposed rule, delay implementation of the compliance regulations, and work to effectively educate patients of their rights while not increasing regulatory burdens. I appreciate your time and attention in this matter.

Kindest Regards,



David Perdue