Comment #: 243

From: Todd Pierzchala, O.D.
Sent: Thursday, March 04, 2004 11:26 AM
To: CONTACTLENSRULE
Subject: Contact Lens verification

Dear FTC,
I recently received a fax from 1-800-Contacts (who by the way have been selling my patients contact lenses illegally past the expiration date for years). The fax asked if it was OK to send the patient more lenses. There were 3 boxes which could be checked off, none of which stated that it was NOT ok to verify the prescription and no where was there a place to check off that the prescription was EXPIRED. The form totally favors 1-800 contacts and does not give the doctor a place to put down that the Rx is expired. I hand wrote in BIG letters "PRESCRIPTION EXPIRED" across the page and faxed it back. About one hour later, I received another fax stating "this is a second request, you have not responded to the first". I called them up complaining and the person I spoke to said he would fix this on this pts. account. In my opinion, this is harassment. Neither me or my staff have time to play games with these forms which are obviously set up to confuse so that 1-800 can say, "we never got a response, so we went ahead and sold the patient contact lenses", even though the doctors intent was to tell them that they may NOT sell lenses. This company, and others, continue to find loopholes, so that they can sell lenses and have an unfair advantage in selling contact lenses. They must be make to comply with these new federal contact lens laws. Why is it that I would never sell a supply of contact lenses to my patient with an expired prescription, but these mail order contact lens companies have been able to do so for years and now even after the federal laws have passed, continue to do so ?

Sincerely,
Todd Pierzchala, O.D. Pennsylvania