

**From:** Ectac5185  
**Sent:** Sunday, March 28, 2004 6:29 PM  
**To:** CONTACTLENSRULE  
**Subject:** 16 C.F.R. Part 315 Fairness to Contact Lens Consumers Act,; Ophthalmic Practice

16 C.F.R. Part 315  
Fairness to Contact Lens Consumers Act: Ophthalmic Practice Rules  
15 U.S.C. 7601 et seq.

Dear Sirs:

When a contact lens prescription has expired patients will often make multiple attempts to improperly obtain lenses. These patients may call a third party supplier several times to order the same expired prescription. This supplier will therefore repeatedly try to validate the same expired prescription. By current rule the eye care professional would have to negatively respond to each request to prevent the expired prescription from being filled. One miss and the patient could obtain the expired prescription lenses. This would have negative visual and/or health consequences for the patient.

Once a prescription has been denied by an eye care professional the third party supplier should be required to get a positive response from an eye care professional before lenses could be supplied for that particular patient.

Thank you for your kind attention.

Elliot A. Cosenza, OD  
FL