

From: E. D. Attaya, O. D.
Sent: Monday, March 22, 2004 4:35 PM
To: CONTACTLENSRULE

RE: Contact Lens Rule, project #R411002

1. The definition of business hours should be clarified. It should be defined as the hours of business in the time zone of the prescriber.
2. There should be clarification of "direct communication" between the seller of lenses and the prescriber. Recordings allow not flexibility in response, are confusing and at times impossible to understand. The final rule should specifically prohibit the use of recorded messages.
3. In those events in which there are not trial lenses available for fitting purposes, there should be an exemption to the rule prohibiting the requirement of purchase of contact lenses from the prescriber prior to providing contact lens prescriptions.
4. The allotted time for response should be extended well beyond 8 hours. In many instances records are required for services which were provided many years in the past. In some instances the age of the records permits their storage off premises. Retrieval may require travel to another location. That may not be feasible within the 8 hours window.
5. There needs to be information defining the quantity of lenses approved for a specific patient. There needs to exist a safeguard against the "stockpiling" of lenses for use long beyond the time intended by the prescriber.
6. There needs to be a method to account for the abuse of obtaining supplies of lenses from various suppliers. Since all that is now required to permit confirmation of a prescription is a faxed copy, it may easily be submitted to more than one lens source. Further, it is possible for patient to deny having obtained lenses from a previously confirmed prescription.
7. There needs to be a curtailment of multiple requests for confirmation to a seller for the same non-patient or for confirmation of expired information from the prescriber.