



# Opticians

ASSOCIATION OF OHIO

## Opticians Association of Ohio

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*Enhancing the Quality and Growth of Opticians*

March 19, 2004

Federal Trade Commission  
600 Pennsylvania Ave., NW  
Washington, DC 20580



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Dear Sirs,

The "Fairness to Contact Lens Consumers Act" H.R. 3140 will foster a free and open market place for the consumer to purchase contact lenses. The Opticians Association of Ohio represents over 3,200 licensed opticians in Ohio. We have always been in favor of legislation that creates a level playing field for parties. Just as Eyeglass I allowed the consumer free choice in purchasing eye glasses, the "Fairness to Contact Lens Consumer Act" will do the same for consumers purchasing contact lenses.

The Opticians Association of Ohio does have a concern regarding the provision that stipulates that a prescriber must verify the contact lens prescription within 8 business hours. The Federal Trade Commission will be reviewing the impact of this legislation upon consumers and business. We feel that a more reasonable time limit would be 24 hours from receipt of the request for prescription verification. This would allow the prescriber sufficient time to reply without hindering the normal flow of business. Additionally an 8 hour time limit on prescription verification could result in prescriptions being improperly and illegally filled. Without sufficient time for a prescriber to verify a contact lens prescription, contact lens sellers could fill the wrong prescription or an expired prescription.

The Opticians Association of Ohio will be available for further input when the time comes for formal review of the "Fairness to Contact Lens Consumers Act".

Sincerely,

*Chip Lothes*  
Chip Lothes  
President