

CONSUMER'S EDGE

CONSUMER PROTECTION DIVISION, MARYLAND OFFICE OF THE ATTORNEY GENERAL

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YOUR RIGHT TO YOUR CONTACT LENS PRESCRIPTION



A Maryland college student was away at school in Ohio when she ran out of contact lenses. She contacted her ophthalmologist to get a copy of her prescription so she could order more online. The ophthalmologist refused to give her the prescription saying the lenses had to be ordered through his office. The consumer paid \$50 a box rather than the \$25 she would have paid to the online supplier, even though her prescription was less than a year old.

A Rockville optometrist refused to give a consumer a copy of his contact lens prescription for him to reorder replacement contact lenses from another retailer. Since the consumer's prescription was more than a year old, the optometrist cited corporate policy that all contact lens prescriptions are valid for one year

and the consumer would need to have an eye exam to receive a new contact lens prescription. The consumer knew that Maryland law specified that contact lens prescriptions are valid for two years unless there is a clinical reason for a shorter period. In this case, the optometrist offered no clinical reason for the one-year prescription expiration date.

For years, many consumers were unable to get their contact lens prescriptions from their eye doctors when they needed to order replacement lenses. They had to order the replacement lenses from the eye doctor who wrote the prescription and pay whatever price was quoted. Many people found that frustrating since they wanted the freedom to shop around and take advantage of the potential savings and convenience offered by direct-to-consumer contact lens suppliers.

State and federal laws have long given consumers the right to obtain their contact lens prescriptions so they can buy replacement lenses from any authorized seller. Updates were made to the federal rules in 2021 requiring, among other things, that eye doctors obtain written confirmation from consumers that they received their prescriptions as required by law.

Getting Your Prescription

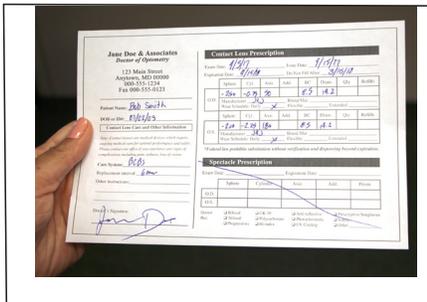
For each new prescription, you must visit an optometrist or ophthalmologist for an eye examination and contact lens fitting. Once it's determined that the lenses fit and that no additional follow up is needed, an eye doctor in Maryland must:

1. Automatically give you a paper copy of the prescription or a copy in digital format (if you elect to receive it digitally), whether or not you request it;
2. Have you sign a statement confirming receipt of the prescription, unless it's sent to you digitally;
3. Keep records confirming receipt of the prescription for five years;



4. Include an expiration date of two years on the prescription, unless you're given a medical reason for a shorter expiration date that is also put in your record;
5. Include all of the information necessary for the prescription to be properly filled, including the name of the lens manufacturer, the type of lens, the power, base curve, lens size, your name, the date the prescription was given to you, the eye doctor's name and contact information, and the expiration date of the prescription; and,
6. Verify your prescription information within 8 hours of a request or provide a copy of the prescription within 40 business hours of a request made by another contact lens seller chosen by you.

If you need another copy of the prescription within the expiration period, at no cost to you, the eye doctor must give you a copy of the prescription within 40 business hours of your request.



If, after your next examination, your prescription has not changed since your last examination, the eye doctor must give you the prescription without requiring you to purchase contact lenses or undergo immediate follow-up care. Contact lens sales are allowed only in accordance with a valid prescription that the seller has received from either the patient or the eye doctor, or that the seller has verified through direct communication with the eye doctor. Private label and brand name lenses can be substituted for each other only when they are identical lenses made by the same manufacturer and are not considered prescription alterations by sellers, which are prohibited.

Maintaining Eye Health

Legally, you have the freedom to buy contact lenses from the supplier of your choice. But remember that contact lenses are regulated healthcare devices that require proper fitting and care. Wearing improperly fitted contact lenses may cause harm to your eyes, and you should immediately seek an eye examination if there are any changes to your vision, including pain or vision loss. You also should see your eye doctor for regular eye examinations and advice on proper contact lens use to keep your eyes healthy.



Types of Eye Care Providers

Ophthalmologists are medical doctors (M.D.) or osteopathic physicians (D.O.) who diagnose and treat diseases of the eye. They can prescribe drugs, perform examinations and eye surgery, and prescribe and dispense eyeglasses and contact lenses.

Optometrists hold a doctor of optometry degree (O.D.). Though they are not medical doctors, they can examine eyes to detect, diagnose, and treat vision problems and eye diseases, except for performing eye surgery. They can prescribe and dispense eyeglasses and contact lenses.

Opticians are not doctors. They fill prescriptions for eyewear written by ophthalmologists and optometrists. They may not examine eyes or prescribe eyeglasses or contact lenses.

If you have any questions relating to the prescription or sale of contact lenses, contact the Attorney General's Health Education and Advocacy Unit.

HEAU

health education + advocacy unit

HOW TO CONTACT US

Consumer Protection Division

200 St. Paul Place, 16th Fl., Baltimore, MD 21202

- **General Consumer Complaints:** 410-528-8662
Toll-free: 1-888-743-0023 TDD: 410-576-6372
En español: 410-230-1712
9 a.m. to 3 p.m. Monday-Friday
www.marylandattorneygeneral.gov/Pages/CPD/
- **Health Consumer Complaints:** 410-528-1840
Toll-free: 1-877-261-8807 TDD: 410-576-6372
En español: 410-230-1712
9 a.m. to 4:30 p.m. Monday-Friday
www.marylandcares.org
- **For information on branch offices** in Largo, Salisbury, Hagerstown, and a full list of offices across Maryland, visit: www.marylandattorneygeneral.gov/Pages/contactus.aspx

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