

S 2777

Contact Lens Consumer Health Protection Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Apr 11, 2016

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Apr 11, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2777>

Sponsor

Name: Sen. Cassidy, Bill [R-LA]

Party: Republican • **State:** LA • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boozman, John [R-AR]	R · AR		Apr 11, 2016
Sen. Perdue, David [R-GA]	R · GA		Apr 21, 2016

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Apr 11, 2016

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
114 HR 6157	Identical bill	Sep 22, 2016: Referred to the House Committee on Energy and Commerce.

Contact Lens Consumer Health Protection Act of 2016

This bill amends the Fairness to Contact Lens Consumers Act to require contact lens sellers to provide a toll-free telephone number and email address that prescribers can use to ask questions about a seller's prescription verification request.

Under current law, a prescription is considered verified if the prescriber fails to communicate with the seller within eight business hours after receiving the seller-provided verification information. The bill requires the prescription to be considered unverified until the seller obtains affirmative confirmation of the accuracy of the prescription from the prescriber in cases where a prescriber communicates a question or concern about the accuracy or verification of the prescription to a seller through the toll-free telephone service or email address before the end of that eight-hour period.

The bill removes the Federal Trade Commission's authority to adjust the eight-hour period.

If a prescriber communicates a question or concern about the accuracy of a prescription before the deadline: (1) the seller shall not fill the prescription, and (2) the prescriber shall provide the seller with an accurate prescription.

Sellers must offer prescribers different communication methods that the prescribers may select as their preferred method for verification requests.

The bill allows a seller to alter a prescription only if: (1) a private label contact lens is included on the prescription and the same contact lens is manufactured by the same company and sold under multiple labels to individual providers; and (2) the seller fills the prescription with a contact lens of exactly the same material, design, and power as manufactured by that company under another label.

Sellers must maintain a database of the issuance and expiration dates of each prescription they receive. The bill prohibits advertisements representing that a contact lens prescription may be filled after the prescription expires.

Sellers violating certain prescriber verification requirements are subject to increased penalties of up to \$40,000 per violation. Such requirements apply to all contact lens sales in the United States, notwithstanding where the seller is located.

The Centers for Disease Control and Prevention must examine the potentially adverse effects of seller violations on consumers.

Actions Timeline

- **Apr 11, 2016:** Introduced in Senate
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