

# H.B. 342

## CONTACT LENS PURCHASE AMENDMENTS

Representative **Jordan D. Teuscher** proposes the following amendments:

1. *Page 2, Lines 31 through 33:*

31           (c) inform the patient that the patient may have options among several contact lens  
32 brands or manufacturers and ask the patient if the patient has a preference for a particular brand  
33 or manufacturer {~~;~~} **, and document this information in a clear statement on:**  
**(i) the document required by federal law acknowledging that the patient received the contact lens**  
**prescription; or**  
**(ii) the digital prescription, if the optometrist or physician is providing a digital prescription;**

2. *Page 2, Line 41 through Page 3, Line 66:*

41           (4) ~~{(a)}~~ If the patient requests a brand or manufacturer that the prescribing optometrist  
42 or physician determines is medically appropriate for the patient, the prescribing optometrist or  
43 physician shall offer the patient a prescription that includes the brand or manufacturer that the  
44 patient requests.  
45 ~~{~~ **(b) The prescribing optometrist or physician may include alternative brands or**  
46 **manufacturers under Subsection (4)(a) on a single prescription.**  
47 ~~——~~ **(c) If the prescribing optometrist or physician determines that only a single brand or**  
48 **manufacturer is medically appropriate for the patient, the prescribing optometrist or physician**  
49 **shall document the reason for this medical judgment with sufficient detail to allow a qualified**  
50 **professional to review the medical judgment.**  
51 ~~——~~ **(d) The prescribing optometrist or physician shall:**  
52 ~~——~~ **(i) provide the documentation described in Subsection (4)(c) to the patient upon the**  
53 **patient's request; and**  
54 ~~——~~ **(ii) maintain the documentation described in Subsection (4)(c) for at least three years**  
55 **after the date of the patient encounter.**  
56 ~~——~~ **(5) (a) A prescription issued under this part shall include on the federally required**  
57 **acknowledgment of receipt of the contact lens prescription, or on the digital prescription if**  
58 **providing a digital prescription, a clear statement indicating that the patient:**  
59 ~~——~~ **(i) acknowledges that the prescriber informed them that the patient may have a choice**  
60 **among several contact lens manufacturer brands, and the patient was asked if the patient had a**  
61 **preference; and**  
62 ~~——~~ **(ii) received a list of any brands or manufacturers that the patient requested that were**  
63 **not included on the patient's prescription.**

64 ~~—— (b) If a patient requests a discussion with the optometrist or physician under Subsection~~  
65 ~~(5)(a)(ii), the prescribing optometrist shall list all of the brands that the patient has requested on~~  
66 ~~the contact lens prescription.}~~