

H.B. 342

CONTACT LENS PURCHASE AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 11, 2022 6:44 PM

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.}~~