

CONTACT LENS PURCHASE AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires certain information to be communicated to a patient receiving a contact lens prescription.

Highlighted Provisions:

This bill:

- ▶ requires an optometrist or physician who is prescribing a contact lens to:
 - provide certain information to the patient during the patient consultation;
 - document certain information related to the patient interaction; and
 - provide a patient with a prescription for a specific brand or manufacturer, if

medically appropriate, at the patient's request.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-16a-306, as last amended by Laws of Utah 2003, Chapter 270

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-16a-306** is amended to read:



28 **58-16a-306. Contact lens prescription -- Qualifications -- Requirements for a**
29 **contact lens prescription.**

30 (1) An optometrist or physician issuing a contact lens prescription shall:

31 (a) be licensed under this title to practice in Utah;

32 (b) ensure the final contact lens prescription is accurate;

33 (c) inform the patient that the patient may have options among several contact lens
34 brands or manufacturers and ask the patient if the patient has a preference for a particular brand
35 or manufacturer, and document this information in a clear statement on:

36 (i) the document required by federal law acknowledging that the patient received the
37 contact lens prescription; or

38 (ii) the digital prescription, if the optometrist or physician is providing a digital
39 prescription;

40 ~~(c)~~ (d) present a written copy of the prescription to the patient after fitting; and

41 ~~(d)~~ (e) provide a copy of the patient's contact lens prescription to a person who sells
42 contact lenses upon the request of the patient or the person selling the contact lenses.

43 (2) An optometrist or physician may not be held liable as a result of providing a
44 prescription to a patient as required by Subsection (1).

45 (3) Application of the provisions of this section shall be consistent with 45 C.F.R. Parts
46 160 and 164, Standards for Privacy of Individually Identifiable Health Information.

47 (4) If the patient requests a brand or manufacturer that the prescribing optometrist or
48 physician determines is medically appropriate for the patient, the prescribing optometrist or
49 physician shall offer the patient a prescription that includes the brand or manufacturer that the
50 patient requests.