

**CONTACT LENS PURCHASE AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jordan D. Teuscher**

Senate Sponsor: \_\_\_\_\_

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**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; and
- ▶ prohibits an optometrist or physician who prescribes a contact lens to a patient from selling a contact lens to that patient.

**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

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

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

30 **58-16a-306. Contact lens prescription -- Qualifications -- Requirements for a**  
31 **contact lens prescription -- Prohibition on prescription and sale.**

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

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

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

35 (c) inform the patient that the patient may have options among several contact lens

36 brands or manufacturers;

37 (d) ask the patient if the patient has a preference for a particular brand or manufacturer;

38 and

39 (e) document the information described in Subsection (1)(c) and (1)(d) in a clear

40 statement on:

41 (i) the document required by federal law acknowledging that the patient received the

42 contact lens prescription; or

43 (ii) the digital prescription if the optometrist or physician is providing a digital

44 prescription;

45 [~~(e)~~] (f) present a written copy of the prescription to the patient after fitting; and

46 [~~(d)~~] (g) provide a copy of the patient's contact lens prescription to a person who sells

47 contact lenses upon the request of the patient or the person selling the contact lenses.

48 (2) An optometrist or physician may not be held liable as a result of providing a

49 prescription to a patient as required by Subsection (1).

50 (3) Application of the provisions of this section shall be consistent with 45 C.F.R. Parts

51 160 and 164, Standards for Privacy of Individually Identifiable Health Information.

52 (4) If the patient requests a brand or manufacturer that the prescribing optometrist or

53 physician determines is medically appropriate for the patient, the prescribing optometrist or

54 physician shall offer the patient a prescription that includes the brand or manufacturer that the

55 patient requests.

56 (5) If an optometrist or physician issues a contact lens prescription to a patient, the

57 optometrist or physician may not sell the prescribed contact lens to the patient.

58 Section 2. **Effective date.**

This bill takes effect on May 1, 2024.