

Representative Jordan D. Teuscher proposes the following substitute bill:

CONTACT LENS PURCHASE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to contact lens prescriptions.

Highlighted Provisions:

This bill:

► requires an optometrist or physician who is prescribing a contact lens to disclose certain information to the 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

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

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

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



- 26 (1) An optometrist or physician issuing a contact lens prescription shall:
- 27 (a) be licensed under this title to practice in Utah;
- 28 (b) ensure the final contact lens prescription is accurate;
- 29 (c) present a written copy of the prescription to the patient after fitting; [~~and~~]
- 30 (d) provide a copy of the patient's contact lens prescription to a person who sells
- 31 contact lenses upon the request of the patient or the person selling the contact lenses[-]; and
- 32 (e) in the confirmation of prescription release, as described in 16 C.F.R. Sec. 315.3:
- 33 (i) include a statement that there is a possibility that multiple brands of contact lenses
- 34 may be medically appropriate for the patient's eye and that the patient may request to discuss
- 35 with an optometrist or physician whether an alternative brand would be medically appropriate;
- 36 and
- 37 (ii) if the prescriber sells the brand of contact lens in the prescription, include a
- 38 statement that the prescriber may directly or indirectly profit from the sale of contact lenses.
- 39 (2) An optometrist or physician may not be held liable as a result of providing a
- 40 prescription to a patient as required by Subsection (1).
- 41 (3) Application of the provisions of this section shall be consistent with 45 C.F.R. Parts
- 42 160 and 164, Standards for Privacy of Individually Identifiable Health Information.
- 43 Section 2. **Effective date.**
- 44 This bill takes effect on May 1, 2024.