

HB0189S01 compared with HB0189

~~{deleted text}~~ shows text that was in HB0189 but was deleted in HB0189S01.

inserted text shows text that was not in HB0189 but was inserted into HB0189S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 ~~{requires certain information to be communicated}~~ modifies provisions related to ~~{a patient receiving a}~~ contact lens ~~{prescription}~~ prescriptions.

Highlighted Provisions:

This bill:

- ▶ requires an optometrist or physician who is prescribing a contact lens to ~~{~~
 - ~~provide}~~ disclose 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~~

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~~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

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~~{ -- Prohibition on prescription and sale }.~~

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

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

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

~~{ (c) inform the patient that the patient may have options among several contact lens brands or manufacturers;~~

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

~~(e) document the information described in Subsection (1)(c) and (1)(d) 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;~~

~~{ (c) } present a written copy of the prescription to the patient after fitting; [and]~~

~~{ (d) } provide a copy of the patient's contact lens prescription to a person who sells contact lenses upon the request of the patient or the person selling the contact lenses [:];~~

and

(e) in the confirmation of prescription release, as described in 16 C.F.R. Sec. 315.3:

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(i) include a statement that there is a possibility that multiple brands of contact lenses may be medically appropriate for the patient's eye and that the patient may request to discuss with an optometrist or physician whether an alternative brand would be medically appropriate; and

(ii) if the prescriber sells the brand of contact lens in the prescription, include a statement that the prescriber may directly or indirectly profit from the sale of contact lenses.

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

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

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

~~— (5) If an optometrist or physician issues a contact lens prescription to a patient, the optometrist or physician may not sell the prescribed contact lens to the patient.~~

‡ Section 2. **Effective date.**

This bill takes effect on May 1, 2024.