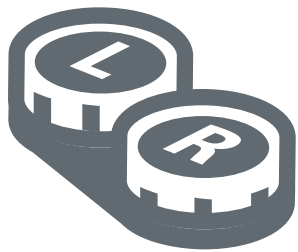


Help Make Prescription Verification Simpler and Safer for Contact Lens Patients

Co-Sponsor H.R. 4282, the Contact Lens Prescription Verification Modernization Act

Rep. Morgan Griffith (R-VA) introduced the Contact Lens Prescription Verification Modernization Act (H.R. 4282) to help make the contact lens prescription verification process simpler and safer for millions of Americans.



45 million
Americans choose contact lenses for their vision correction needs.

Contact lenses have long been recognized in law and regulation as medical devices. Today, roughly 45 million Americans choose contact lenses for their vision correction needs. All contact lenses, even cosmetic ones, require a prescription and must be properly fitted and prescribed by a doctor of optometry or other eye doctor (ophthalmologist) following an eye health and vision exam to determine a patient's suitability for contact lens wear.

Although contact lenses are safe and effective, their **improper use or fit can lead to serious health complications**, including:

- Infections
- Corneal Edema
- Ulcers

A poor-fitting contact lens can also lead to an irreversible growth of blood vessels in the eye (corneal neovascularization) which can result in:

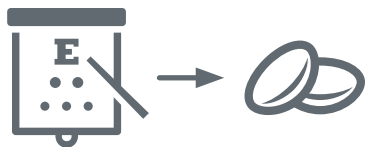
- Scarring
- Infections
- Blindness
- Removal of the eye due to persistent, uncontrollable pain

Summary

Contact lenses are a safe and popular choice for vision correction. Because ill-fitting or improperly-used contact lenses can result in serious eye and vision conditions, the FDA regulates contact lenses as Class II and Class III medical devices which require an eye doctor's prescription and oversight. Both the FDA and the CDC inform patients that contact lenses are not "one-size-fits-all" devices and that regularly-scheduled comprehensive eye exams are critical to ensuring optimal eye health.

Through the Fairness to Contact Lens Consumers Act (FCLCA), Congress charged the FTC with enforcing contact lens prescription verification requirements. However, lax FTC enforcement of unscrupulous online contact lens sellers and the continued use of problematic verification robocalls has led to a growth in illegal sales, including through the filling of expired or non-existent prescriptions and the filling of prescriptions with devices other than what was prescribed by the doctor.

The Health Care Alliance for Patient Safety support the **Contact Lens Prescription Verification Modernization Act (H.R. 4282), to help modernize the contact lens prescription verification process and make it simpler and safer for millions of contact lens wearers.** U.S. House members are asked to co-sponsor the Contact Lens Prescription Verification Modernization Act (H.R. 4282).



The U.S. Food and Drug Administration (FDA) regulates **contact lenses as Class II and Class III medical devices which require an eye doctor's prescription and oversight.** The FDA and the U.S. Centers for Disease Control and Prevention (CDC) inform patients that contact lenses are not "one-size-fits-all" devices and that **regularly scheduled comprehensive eye exams are critical to ensuring optimal eye health.**



Increasingly, online contact lens **sellers are using verification robocalls that are difficult to understand, do not include all of the necessary information to confirm the prescription, and create barriers for doctors to communicate back the necessary prescription corrections**—including that the request is being made for the wrong devices or for an individual that is not a patient of that doctor. Some online sellers are knowingly taking advantage of the current "passive verification" system (doctors have eight business hours to respond or the prescription is considered verified) to sell medical devices to patients not prescribed by an eye doctor—needlessly placing them at risk.

Help make the prescription verification process simpler and safer for contact lens patients: **Co-sponsor the Contact Lens Prescription Verification Modernization Act (H.R. 4282).**

The Health Care Alliance for Patient Safety (HCAPS) was founded in 2018 to advocate for patient safety and to protect and defend the doctor-patient relationship. Our members come together from across the nation to raise awareness and protect public health. Advancing policy and collaboration between leading health care advocates, vision innovators, and treatment specialists is essential to push patient care and vision protection forward.

1505 Prince Street, Suite #300
Alexandria, VA 22314
P: 800-365-2219

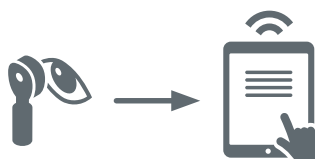
A 2016 patient survey highlighted the scale of the problem:

1 in 3 patients were able to purchase lenses using an already-expired prescription. **&** **1 in 4** patients reported receiving different medical devices than those prescribed by their eye doctor.



Today, millions of contact lens wearers purchase lenses online through Internet mass retailers. As a patient health safeguard, the FCLCA requires online sellers to verify the validity of contact lens prescriptions with the patient's doctor before fulfilling an order. **While the FCLCA clearly allows telephone, fax, or email for verifying prescriptions, the FTC has interpreted the law to allow robocalls as well.** However, the use of robocalls to confirm the accuracy of a prescription, which includes specific numbers for strength, base curve and quantity, is far too complicated for an automated phone system.

The Contact Lens Prescription Verification Modernization Act (H.R. 4282) would also further empower patients by ensuring that online contact lens sellers offer a **method for allowing patients to upload**



an electronic copy of their contact lens prescription, thereby skipping the verification process altogether.

To co-sponsor the Contact Lens Prescription Verification Modernization Act (H.R. 4282) in the House, please contact **Davis Michols in Rep. Griffith's office at davis.michols@mail.house.gov**

For more information, please contact HCAPS Washington Office staffers:

Madison Lamp
madison@patientsafetytoday.com
571-839-0493



HEALTH CARE ALLIANCE FOR PATIENT SAFETY

Contact Lens Prescription Verification Modernization Act (H.R. 4282) Co-sponsors*

Alaska	Begich (R)
California	Brownley (D), Lofgren (D)
Colorado	Crow (D)
Delaware	McBride (D)
Florida	Castor (D)
Illinois	Bost (R), Foster (D), Krishnamoorthi (D), Schneider (D)
Indiana	Shreve (R)
Kansas	Schmidt (R)
Kentucky	Barr (R)
Maine	Pingree (D)

Massachusetts	Lynch (D)
Nebraska	Bacon (R)
New Hampshire	Pappas (D)
New Jersey	Norcross (D)
New Mexico	Vasquez (D)
Pennsylvania	Mackenzie (R)
South Carolina	Wilson (R)
Texas	Sessions (R)
Washington	Perez (D), Schrier (D)
Wisconsin	Pocan (D), Orden (R)
Wyoming	Hageman (R)

* As of 2/20/26

SAFE VISION CARE FOR ALL AMERICANS

Protecting Quality, Preventing Harm, Preserving Sight

The Doctor–Patient Relationship: The Foundation of Safe Vision Care

The trust and expertise shared between a doctor of optometry and their patient is the cornerstone of safe, high-quality vision care.

- Personalized care based on individual health history and needs
- Early detection of serious eye and systemic conditions
- Accurate prescriptions for corrective lenses and treatments

When convenience is put ahead of quality, patients face increased risks of harm. Vision care decisions should always be guided by a licensed doctor—not by profit-driven shortcuts.

The Threat of Robocalls in Contact Lens Sales

Some bad actors in the vision industry exploit “passive verification” rules by using automated robocalls to push patients into company-driven substitution of the lenses prescribed by their doctor.

This practice:

- Allows substitution of dangerous or inferior lenses not prescribed by the patient’s doctor
- Circumvents safeguards meant to protect patient safety
- Erodes trust in the doctor–patient relationship

Patients deserve the lenses their doctor prescribed—not whatever a telemarketer can sell.

The Myopia Epidemic: A Growing Threat to Children’s Health

Myopia (nearsightedness) is rising at alarming rates among U.S. children, leading to:

- Reduced classroom performance and learning challenges
- Behavioral issues from uncorrected vision problems
- Increased lifelong risk of glaucoma, retinal detachment and vision loss

Congressional Asks

- Protect Patients from Unsafe Contact Lens Substitution. Cosponsor H.R. 4282, the Contact Lens Prescription Verification Modernization Act
 - Support the Senate companion bill when introduced
 - Combat the Myopia Epidemic with Public Education
- Combat the Myopia Epidemic with Public Education
 - Contact Secretary Kennedy to support a nationwide education campaign on:
 - The dangers of unchecked myopia
 - The need for comprehensive eye exams—not just screenings—for all children

Vision screenings are not enough. Only a comprehensive eye exam can detect and properly address myopia and other serious conditions.

Every school-aged child should have regular comprehensive exams—early intervention protects both learning and long-term health.



HEALTH CARE ALLIANCE FOR
PATIENT SAFETY



HEALTH CARE ALLIANCE FOR PATIENT SAFETY

Congress's passage of the final Appropriations package demands action from FTC

The joint explanatory statement accompanying the Financial Services
and General Government Appropriations Act, 2026

February 3, 2026 Federal Trade Commission

Contact Lenses. -The agreement directs the FTC to brief the Committees not later than 90 days after enactment of this act on its plans to reevaluate the Contact Lens Rule and protect patients from the potential health risks of non-compliant automated telephone verification such as the substitution of lenses not prescribed by a patient's doctor.



HEALTH CARE ALLIANCE FOR PATIENT SAFETY

FTC publication in the Federal Register shows that FTC is aware passive verification and robocalls are being used to manipulate the system, but are unwilling to take action

[Federal Register/Vol. 84, No. 102/Tuesday, May 28, 2019/Proposed Rules](#)

FTC states:

“Concerns about passive verification resulting in patients receiving contact lenses for which they have no prescription are not new, and were considered when Congress passed the FCLCA and in the NPRM in 2016. What is new, however, is the emergence of business models that rely exclusively, or almost exclusively, on passive verification as a means to substitute their own brand of daily contact lenses. Under these business models, sellers advertise directly to consumers, often through Facebook or other social media platforms, and often sell their lenses through subscription services. Several of these companies sell one type of lens only, made from a single material, with one modality, base curve, and diameter. Some consumers who have been prescribed toric lenses for astigmatism or multifocal lenses have ordered and received lenses from these sellers, unaware at the time they order that the sellers do not offer appropriate lenses for them. The only information some sellers request from consumers about their contact lens prescription is the desired power(s) of the lenses, and the websites for some do not include a mechanism for consumers to upload their actual prescription. Rather, these sellers ask consumers to provide prescriber information and represent that they will check with, or verify, the prescription with the prescriber. Sellers may then contact the prescriber with a verification request that includes the power of the consumer’s lenses, but substitutes the seller-manufacturer’s name as the brand of lens. Should a prescriber fail to invalidate such a verification request within eight business hours (as dictated by the Rule), the seller may believe it is authorized to ship that month’s lenses, and subsequent subscription orders for a year or two, depending on state prescription expiration limits. The Commission is concerned about the misuse of passive verification to substitute a different brand and manufacturer of lenses. If a seller knows or should know that a verification request includes a different brand and manufacturer than that prescribed by the prescriber, the verification request is not valid and does not commence the eight-business-hour verification period.”



FEDERAL TRADE COMMISSION
PROTECTING AMERICA'S CONSUMERS

\$3.5 million FTC settlement with Hubble signals that ignoring the Contact Lens Rule can be costly

Excerpts from: <https://www.ftc.gov/business-guidance/blog/2022/01/35-million-ftc-settlement-hubble-signals-ignoring-contact-lens-rule-can-be-costly>

As a result of a [\\$3.5 million FTC settlement](#), Vision Path – the online seller of Hubble contacts – must eye its legal responsibilities through a stronger lens.

Vision Path sells its own Hubble contacts directly to consumers through an online subscription model. The [complaint](#) alleges the defendant violated the Contact Lens Rule by: 1) failing to properly verify consumers' prescriptions; 2) selling contacts after prescription verification requests were denied; 3) altering prescriptions by substituting its own Hubble brand when that wasn't what the consumer was prescribed; and 4) failing to maintain required records.

You'll want to read the [complaint](#) to put the charges in focus, but here are just two allegations that merit a second look. The FTC says in many cases, Hubble either didn't make the required verification calls or made calls that were incomplete or incomprehensible. For example, sometimes the company left voicemails on phone numbers that clearly weren't eye care offices and yet took the prescriber's failure to respond to the call it didn't receive as "passive verification." In other instances, Hubble conveyed its verification messages in a garbled robotic computer voice that was hard to understand. In still other cases, Hubble played those messages over "you're on hold" music when it should have been clear that no one from the prescriber's office was listening.

In addition, the [complaint](#) alleges that the company violated the Contact Lens Rule by substituting Hubble lenses for what consumers' eyecare professional had prescribed. According to the FTC, the defendant did that even when it was apparent that the prescriber hadn't fitted the consumer for Hubble lenses. In some instances, Hubble switched people even after prescribers told the company they didn't prescribe Hubble contacts.

The FTC alleges that consumers were injured by the company's practices. For example, some people received lenses that their medical professional hadn't prescribed for them and for which they hadn't been fitted. According to the complaint:

A Hubble conducted survey, which asked consumers to select the top three reasons for cancelling their subscription, found 24% of customer cancellations were because the customers needed multifocal or toric lenses (which Hubble doesn't make or sell), 13% were because customers said they 'couldn't see out the lenses' (which should not occur if they had been fitted for the lenses), 22% were because customers found the lenses uncomfortable (likewise, in most instances), and 18% were because the customers' eye care prescribers would not let them wear Hubble lenses.

The complaint also charges Hubble with violating the FTC Act by making promises to consumers that it didn't keep. For example, despite repeated assurances that Hubble would "reach out to your doctor on your behalf to ensure we have the right information," the FTC says that Hubble relied instead on faulty verification practices, which often resulted in passive verification and consumers receiving lenses they hadn't been fitted for.