

December 8th, 2022

TO ALL OPTOMETRISTS AND OPHTHALMOLOGISTS FROM PLAN DE SALUD MENONITA PROVIDERS NETWORK (COMMERCIAL/VITAL)

RE: FEDERAL TRADE COMMISSION- *THE EYEGLASS AND THE CONTACT LENS RULE*

Dear Provider:

In order to keep our network of providers duly oriented with the most recent information related to clinical matters, we proceed to share the statement that the Federal Trade Commission (FTC) has published (16 CFR part 312, 16 CFR part 456). It contains two important rules for consumers about vision care: (1) the Eyeglass Rule and (2) the Contact Lens Rule.

Both rules are intended to allow consumers to purchase their corrective lenses at the location of their choice and not be hindered in obtaining their prescriptions establishing the following:

- Provide patients with the prescription for their glasses or contact lenses automatically, without the patient requesting it. (You should get it at the end of your vision exam. For contact lenses, you should get it after your lens fitting is complete, which could take more than one appointment, or involve trying a few lenses over several days.)
- Provide patients with a copy of their prescription immediately after the exam or fitting is completed. You cannot charge for the prescription, and you cannot require making a purchase to obtain it.
- Obtain a written or electronic signature on a record acknowledging the receipt of a copy of the contact lens prescription or retain proof that a digital prescription was provided to the patient and keep those records for at least three years. (This requirement only applies to providers who sell contact lenses or who have a financial interest in the sale or purchase of lenses.)
- Respond, within 40 business hours, to the request for an additional copy of the prescription, be it the request of the patient, the seller of contact lenses or glasses.
- Provide a prescription that is valid for at least one year (or longer, if state law mandates a minimum of more than one year), unless there is a medical reason for a later or a shorter expiration date.
- Do not place on the prescription, or require the patient to sign, or give the patient a form or notice waiving the ophthalmologist's or optometrist's obligation or responsibility for the accuracy of the visual examination or the accuracy of the ophthalmic products and services dispensed.



Important: These rules take precedence over state laws that are less restrictive.

It is important to recognize and ensure the rights of patients according to these regulations and ensure full compliance with the federal regulations set forth above.

Centro de Servicio al Proveedor

1-855-297-0140 (free of charge)

Monday through Friday from 7:00 a.m. to 7:00 p.m.

<http://psmconnet.psmpr.com>

Cordially,

A handwritten signature in black ink, appearing to read 'A. Araud', is written in a cursive style.

Lcdo. Adrián E. Castellar Araud, Esq. LLM
Compliance Officer

Cc: Lcda. Astrid R. Figueroa García, Esq.
Senior Compliance Director

Reference: <https://www.ecfr.gov/current/title-16/chapter-I/subchapter-D/part-456>