



General Assembly

**Substitute Bill No. 6012**

January Session, 2017

\* \_\_\_\_\_HB06012PH\_\_\_\_\_032917\_\_\_\_\_\*

**AN ACT CONCERNING CONSUMER PROTECTION IN EYE CARE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2017*) (a) As used in this  
2 section:

3 (1) "Contact lens" means any lens placed directly on the surface of  
4 the eye, regardless of whether or not the lens is intended to correct a  
5 visual defect, including, but not limited to, any cosmetic, therapeutic  
6 or corrective lens;

7 (2) "Eye examination" means a physical assessment of the ocular  
8 health and visual status of a patient that may include, but does not  
9 consist solely of, objective refractive data or information generated by  
10 an automated testing device, including, but not limited to, a remote  
11 refractive device, in order to establish a medical diagnosis or for the  
12 correction of vision disorders;

13 (3) "Initial prescription" means a provider's handwritten or  
14 electronic contact lens prescription, as defined in 15 USC 7610, that the  
15 provider issues the first time the provider fits a patient with a contact  
16 lens;

17 (4) "In-person evaluation" means a patient evaluation conducted by  
18 a provider who is at the same physical location as the location of the

19 patient;

20 (5) "Provider" means an optometrist licensed pursuant to chapter  
21 380 of the general statutes or a physician licensed pursuant to chapter  
22 370 of the general statutes who specializes in ophthalmology; and

23 (6) "Remote refractive device" means automated equipment or an  
24 application designed to be used on a telephone, computer or Internet-  
25 based device that can be used either in person or remotely to conduct a  
26 test to determine the refractive status of the eyes.

27 (b) A provider may not use the data or information obtained from  
28 the administration of a test using a remote refractive device as the sole  
29 basis for issuing an initial prescription or renewing an initial  
30 prescription. No provider shall issue an initial prescription to or renew  
31 an initial prescription for a patient without having performed an in-  
32 person evaluation and an eye examination of the patient.

33 (c) The expiration date of (1) an initial contact lens prescription shall  
34 be one year after the date of issuance, and (2) a contact lens  
35 prescription that is a renewal of an initial contact lens prescription  
36 shall not be earlier than one year after the date of issuance or later than  
37 two years after the date of issuance, unless the patient's history or  
38 current circumstances establish a reasonable probability of changes in  
39 the patient's vision of sufficient magnitude to necessitate  
40 reexamination earlier than one year after the issuance of the  
41 prescription, or the presence or probability of visual abnormalities  
42 related to ocular or systemic disease indicate the need for  
43 reexamination of the patient earlier than one year after the issuance of  
44 the prescription. If the expiration date of a prescription is less than one  
45 year for an initial contact lens prescription or a renewal of an initial  
46 contact lens prescription, the provider shall document the health-  
47 related reasons for the limitation in the patient's medical record. No  
48 provider shall issue a prescription with an expiration date that is less  
49 than the period of time recommended by such provider for  
50 reexamination of the patient. For the purposes of this subsection, the

51 date of issuance is the date the patient receives a copy of the  
52 prescription.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2017</i>	New section
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**PH**      *Joint Favorable Subst.*