



United States of America  
FEDERAL TRADE COMMISSION  
Washington, D.C. 20580

Division of  
Advertising Practices

December \_\_, 2020

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***VIA FEDEX***

**Notice of the Ophthalmic Practice Rules (“Eyeglass Rule”),  
the Fairness to Contact Lens Consumers Act and the Contact Lens Rule**

To Whom It May Concern:

The staff of the Division of Advertising Practices of the Federal Trade Commission recently received a complaint claiming that your office failed to provide a consumer with an eyeglass prescription at the end of the eye examination. We are writing to inform you that such a practice would violate the FTC’s Ophthalmic Practice Rules, 16 C.F.R. Part 456, known as the Eyeglass Rule, which require prescribers to provide a copy of the eyeglass prescription immediately after the eye examination, *even if the patient does not request it*, and prohibit prescribers from requiring that patients buy eyeglasses as a condition of providing a copy of the prescription.

You should also know that prescribers cannot place a liability waiver on the prescription, require patients to sign a waiver, or require patients to pay additional fees,<sup>1</sup> in exchange for a copy of the prescription. Prescribers also cannot refuse to perform an eye exam unless the patient purchases ophthalmic goods from the prescriber. 16 C.F.R. § 456.2. The Eyeglass Rule is intended to allow consumers to comparison shop for eyeglasses.

The complaint also claimed that your office failed to provide a consumer with a contact lens prescription upon completion of a contact lens fitting. Such a practice would violate the Fairness to Contact Lens Consumers Act, 15 U.S.C. § 7601 et seq., and the Contact Lens Rule,

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<sup>1</sup> A prescriber may require a patient to pay for the eye exam before giving the patient a copy of the prescription, but only if the prescriber also requires immediate payment from patients whose exams reveal no need for glasses, contact lenses, or other ophthalmic goods. 16 C.F.R. § 456.2(a).

