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United States Senate

WASHINGTON, DC 20510

January 5, 2018

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The Honorable Maureen K. Ohlhausen
Acting Chairwoman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Acting Chairwoman Ohlhausen,

Vision health is incredibly important because it can impact our everyday lives. According to the Centers for Disease Control and Prevention, roughly 11 million people over the age of 12 need vision correction. Therefore, it is critical that both adults and children receive routine eye exams performed by an optometrist or ophthalmologist. Maintaining vision or finding the right corrective lenses helps provide a good quality of life. Vision problems for children can often become a distraction in the classroom, impacting the time they could be learning. Adults need to monitor their eyes' health because age brings with it an increased risk of glaucoma and macular degeneration which are known to cause blindness.

The Fairness to Contact Lens Consumer Act was established in 2004 and mandated that eye care professionals, like optometrists and ophthalmologists, release patient prescription information. Patients are then able to use their prescription information to search for contact lenses or glasses at various optician stores or eye clinics. Unfortunately, online sellers of contact lenses have engaged in the practice of not requiring a valid prescription with the purchase of contact lenses. Contacts, according to federal law, are considered prescription medical devices and online sites that do not require a valid prescription are putting the nation's contact wearers' at risk for developing serious eye issues. Without a proper eye exam, consumers may not know if their cornea can safely tolerate contact lens or their accurate prescription. Online sellers should always require a valid prescription from the buyer before they are able to sell their product.

I recently met with an optometrist and owner of an eye care facility in my state. She informed me of the risks many consumers face from buying contact lenses through an online site that does not verify the consumer's prescription. Consumers may think a contact lens can do no harm to one's health, but that can be far from the case. I have attached a photo the optometrist showed me to demonstrate the detrimental effects of not using a valid prescription when ordering contact lenses and the wear it can have on one's eye.

I would encourage the Federal Trade Commission to focus on ensuring online sites that sell contact lenses are continuing to ask for consumers' valid prescriptions. Thank you for your consideration.

Sincerely,



Heidi Heitkamp
United States Senate

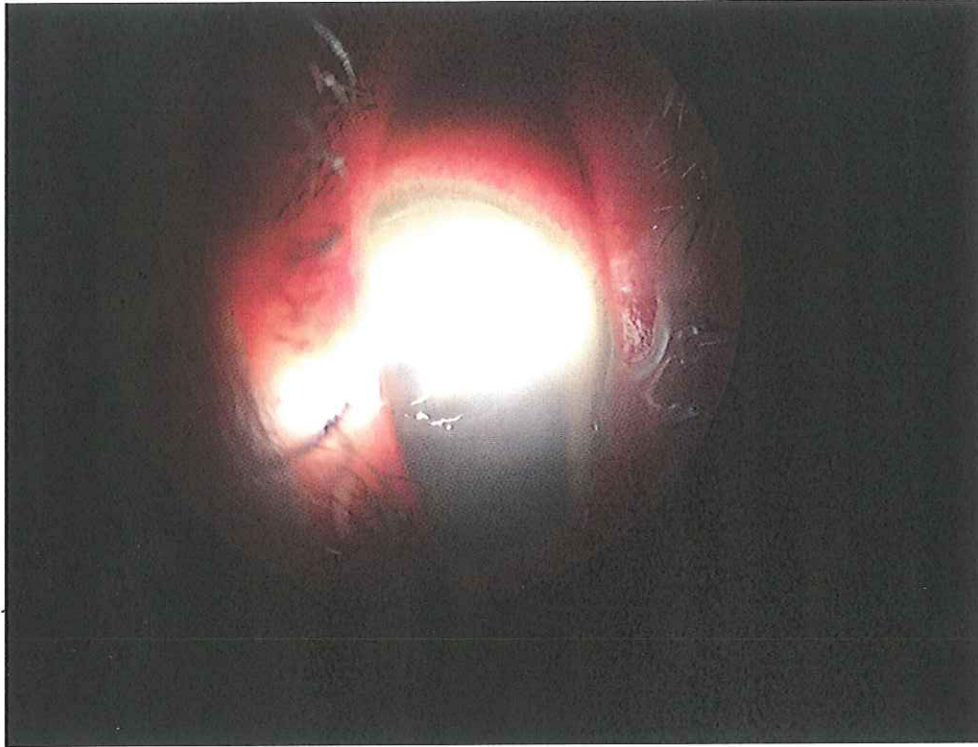
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This is a photo taken by Dr. Dori Carlson, OD and owner of Heartland Eye Care in Park River, North Dakota.

This patient had not been to an eye doctor in five years. She had been wearing contact lenses during that time that were obtained without a valid prescription. This picture displays a corneal ulcer as a result of that contact lens wear. The cornea is supposed to be clear; normally one could see the iris of the eye and pupil, but in this photo it is cloudy. This ulcer was very severe causing the cornea to thin. Dr. Carlson was concerned the eye would perforate or rupture.