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Dear Members of Congress,

I write in opposition to H.R. 4282, the *Contact Lens Prescription Verification Modernization Act,* and to urge Congress to revise the House Fiscal Year 2027 Financial Services and General Government (FSGG) report language on contact lenses during conference. H.R. 4282 would eliminate automated phone prescription verification, which guarantees that bad actors cannot refuse to verify prescriptions, thus preventing their patients from buying lenses from other retailers.

This kind of verification is one of the most effective ways to preserve competition. Reeling back this protection would hurt a market that has become more accessible, convenient, and affordable due to steps taken to ensure consumer freedom.

In 2003, President George W. Bush signed the Fairness to Contact Lens Consumers Act (FCLCA) into law. The legislation required that optometrists provide patients with a copy of their prescription.

The FTC's Contact Lens Rule, built on the FCLCA, ensures that consumers have the freedom to purchase contact lenses from wherever they want, whether that is from their optometrists or from a third party. Specifically, the rule required optometrists to obtain signed acknowledgement from patients that they have received a copy of their prescription. It also continued to allow automated phone prescription verification, a feature of the FCLCA, which is one of the most effective ways to preserve competition and consumer freedom.

Rather than forcing a third-party retailer to wait indefinitely for a prescriber to verify the prescription, this requires the retailer to wait a full business day (eight hours) before fulfilling a consumer's order.

H.R. 4282 seeks to end this effective, efficient prescription verification option. This will open the door to bad actors who, before the FCLCA, would refuse to verify prescriptions in the hopes of preventing their patients from buying lenses from other retailers.

The FY27 FSGG report raises a related concern. The FTC plays an important oversight role in the contact lens market. However, the House report language focuses on patient safety and leaves out why prescription release matters: it lets consumers shop around and save money. The FTC will look to this language when it reviews the rule in 2030.

Contact lenses have become more accessible, convenient, and affordable because of these steps taken to ensure consumers have a multitude of choices – 45 million Americans now use contact lenses. To reel back the protections which transformed the contact lens marketplace for the better would be a mistake. All members of Congress should reject H.R. 4282, and conferees should ensure the final FY27 FSGG report supports balanced enforcement of the Contact Lens Rule.

Onward,



Grover G. Norquist
President, Americans for Tax Reform