

## **STATE MEDICAL BOARD OF OHIO POLICY STATEMENT**

### **RELEASE OF VISION PRESCRIPTIONS**

Approved March 13, 1991

Revised December, 2014

The State Medical Board of Ohio is charged with enforcing Section 4731.44(B) of the Ohio Revised Code which requires:

*An individual authorized under this chapter to practice medicine and surgery or osteopathic medicine and surgery, on completion of a vision examination and diagnosis, shall give each patient for whom the individual prescribes any vision correcting item, device, or procedure, one copy of the prescription, without additional charge to the patient.*

Ohio law supplements the requirements found in the Federal Trade Commission's Ophthalmic Practice Rules (Eyeglass Rule) and the Fairness to Contact Lens Consumers Act. There are penalties provided under both the state and federal systems for those professionals who do not comply with the requirements.

#### **Spectacle Prescriptions:**

A prescription for spectacles must be written and given to the patient at the completion of the examination. The prescription must contain sufficient information so that the patient can take it to a supplier of their choice in order to have the spectacles made. A spectacle prescription may include a reasonable expiration date, normally not less than two years from the date of the examination unless the patient records indicate a specific need for a shorter time period.

#### **Contact Lens Prescriptions:**

For contact lens examinations which involve:

- new patients;
- patients making a significant change in the type of contact lens, i.e. daily wear to extended wear, etc.; or
- when an ocular abnormality exists in the patient,

The diagnosis for contact lenses is not complete until:

- the contact lenses have been dispensed to the patient;
- the patient has been checked for the fit of the lenses; and
- after a trial wearing period the doctor has examined the patient and the doctor is satisfied that the prescribed contact lenses are correct for the patient.

The Fairness to Contact Lens Consumers Act requires that, at the conclusion of a contact lens fitting, each patient must be given a copy of his or her own contact lens prescription, whether or not a patient asks for a copy. The law generally prohibits persons authorized by the state to fit

and dispense contact lenses from making the release or verification of a patient's contact lens prescription conditional.

Furthermore, persons authorized by the state to fit and dispense contact lenses may not:

- charge a fee for release of a prescription;
- require the patient to purchase contact lenses from them;
- require the patient to sign a waiver or release; or
- write an expiration date of less than one year unless there is a specific medical reason to justify the expiration date.

Persons authorized by the state to fit and dispense contact lenses are also required to follow subsequent rules promulgated by the Federal Trade Commission as a result of the Fairness to Contact Lens Consumers Act (<http://www.ftc.gov>).

The Ohio Revised Code does not currently address an expiration date for any vision correcting item, device or procedure. In the interest of protecting the vision and health of Ohio citizens, the State Medical Board will NOT require an ophthalmologist to author a spectacle prescription if the examination and diagnosis was completed more than three years ago.

*This policy or position statement is only a guideline and should not be interpreted as being all inclusive or exclusive. The Board will review possible violations of the Medical Practices Act and/or rules promulgated hereunder on a case by case basis.*

*Approved 3/13/91*

*Approved 8/14/97*

*Revised 4/15/04*

*Revised 7/10/08 to include disclaimer*

*Revised December, 2014*