

Board Policy on Release of Spectacle and Contact Lens Prescriptions

- A patient is entitled, without equivocation, to a copy of his or her spectacle lens prescription following a comprehensive eye examination with refraction resulting in a spectacle lens prescription. Minimum information required pertaining to the lens power(s) on such prescriptions include the following for both the right and left eyes: the spherical power, the cylindrical power including the axis, prism (if prescribed) and the power of the add (when prescribed). Special requirements such as the type of lens, tints, coatings, polycarbonate, etc may be included where such requirements may be indicated. A patient purchasing their prescription eyewear from a seller other than the prescribing optometrist or ophthalmologist should recognize that it is the responsibility of an optical dispenser filling such prescription(s) to make those physical assessments of the patient's anatomical features required to determine the measurements necessary to ensure that the lenses that have been prescribed fit properly before the patient's eyes (*see Sections 90-235 and 90-236 of Article 17 of the North Carolina General Statutes*). Such measurements include but are not necessarily limited to the intended wearers facial features, the size and shape of the frames selected by the patient into which the lenses are to be mounted, appropriate inter-pupillary distances (distance and near) for the accurate decentration of the lens, and the segment heights when progressive or multifocal lenses are prescribed. In keeping with the above, and before the dispensing of prescription eyewear to a patient, the accuracy of the prescription should be verified by a licensed optical dispenser as to the accuracy of the lens power(s) and the proper decentration of all variables. In those instances where multifocal or progressive lenses have been prescribed the height and decentration of the 'adds' should be verified and the eyewear adjusted comfortably to the patient's face before it can be said that the prescription eyewear has been 'properly dispensed' in accordance with their prescription.
- The law is very precise in the differentiation of spectacle and contact lens prescriptions. Unless a prescription states on its face that the prescriber intends for it to be for contact lenses and includes an expiration date and the type and specifications of the contact lenses being prescribed, it is a spectacle prescription and can only be filled and dispensed as such.
- It is the opinion of the Board that until all requirements of a satisfactory fit of contact lenses have been determined by the optometrist, a contact lens prescription cannot be written. Further, all contact lenses used in the determination of a contact lens prescription are considered to be diagnostic lenses and the use of such lenses by anyone other than an optometrist or physician, or an ophthalmic assistant under his or her direct and personal supervision, is not permissible under provisions of North Carolina law.

No optometrist is required, nor is he or she expected, to delegate the responsibility for the fitting of a contact lens to any person not licensed to do so, and to do so is in violation of North Carolina law and Optometry Board Rules and Regulations.

- Under North Carolina law, contact lenses can be fitted and prescribed only by licensed optometrists and physicians (“practitioners”). They can be dispensed legally only upon a valid, current prescription issued by a practitioner. It is recognized that increasing numbers of patients are purchasing contact lenses through alternative sources; therefore, it is important that practitioners recognize and document whenever possible this type of activity in the patient's chart when applicable. Because the purchasing and unsupervised use of contact lenses without a valid, current prescription has the potential to be harmful to the safety and well being of patients a practitioner may consider termination of a patient's care when a patient is determined to be non-compliant. It is further recommended that in the event any seller of contact lenses requests confirmation of expired or otherwise invalid contact prescriptions the practitioner institute procedures to promptly respond to such inquiries. Particular care should be taken to assure that such procedures minimize the chance that “passive permission” (failure to respond to a request for verification of a prescription by any seller of contact lenses within a stated time period, which results in shipment of the lenses to the patient due to lack of response by the practitioner) be given to ship or sell contact lenses for which the prescription has expired.
- In order to minimize confusion on the part of patients, the optometrist should adequately communicate with each patient about the patient's expectations of the optometrist's services. If contact lenses are desired or are being considered, then the patient should know in advance what professional services are required, and what the approximate costs of these services will be. This is especially true if the patient is contemplating having the prescription filled or dispensed by a third party. While the patient has the right to have his or her contact lens prescription dispensed by any dispenser who is legally authorized to dispense contact lenses in the State of North Carolina, the practitioner has the right, prior to fitting the patient, to refuse to fit contact lenses or accept as a patient any person who does not agree in advance to comply with the follow-up protocols as established within the practitioner's practice. In order to aid in the prevention of misunderstandings, it is recommended that each practitioner have his or her office protocols available in order to inform patients presenting for examination and who wish to be fitted with contact lenses. Such protocols should be worded so as to be easily understood by the patient (e.g. avoiding technical language or terms) and may describe charges for procedures involved in the fitting of the contact lenses as distinct from charges related to a routine eye examination, as well as to the

expected patient compliance with regularly scheduled office visits and follow-up care while wearing contact lenses.

- In the interest of good doctor-patient communication it is suggested that at the time of the patient's initial office visit for the fitting of contact lenses and before a final contact lens prescription is determined, a patient for whom contact lenses are to be prescribed should be informed of the practitioner's patient follow-up protocols for the type of lenses being prescribed and a follow-up appointment made for the patient in accordance with such protocols. In the event that the patient is given a prescription to be filled by a third party, the patient's record should denote the fact and the time of the patient's follow-up noted in their chart. The prescription should contain the number of lenses to be dispensed, the number of refills that are authorized and an expiration date consistent with the type and modality of use of the lenses that are prescribed, such expiration date should be no later than the date of the patient's next regularly scheduled follow-up appointment.
- Finally, when a contact lens prescription is issued to a patient it shall contain an expiration date and shall explicitly state on its face that it is for contact lenses. Further, the prescription shall include the type of lens and all specifications necessary for the ordering or fabrication, type and quantity of lenses to be dispensed, number of refills authorized, an expiration date and whether lenses are to be dispensed as written or if substitutions are allowed. Words or phrases such as "o.k. for contact lenses", "fit with contact lenses", "contact lenses may be worn", etc. do not constitute a contact lens prescription. An optometrist cannot delegate in writing or otherwise the responsibility of determining the suitable fit of, and thus the prescription for, a contact lens. That responsibility clearly belongs to the prescriber.
- To minimize the risks of misunderstanding between the optometrist and his or her patient, it is recommended that all prescriptions released to patients that are intended for spectacle lenses to so state by having the prescription blanks printed or stamped with words to that effect: [e.g. "this is a spectacle lens prescription only", "not intended for contact lenses", etc.] e.g. *"this is a spectacle lens prescription only"*, *"not intended for contact lenses"*, etc., etc.

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