116TH CONGRESS  
1ST SESSION  
H. R. 3975

To amend the Fairness to Contact Lens Consumers Act to modernize verification of contact lens prescriptions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES  
JULY 25, 2019

Mr. Rush (for himself and Mr. Burgess) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Fairness to Contact Lens Consumers Act to modernize verification of contact lens prescriptions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Contact Lens Prescription Verification Modernization Act”.

SEC. 2. AMENDMENTS.

Section 4 of the Fairness to Contact Lens Consumers Act (15 U.S.C. 7603) is amended—

(1) in subsection (a)—
(A) by redesignating paragraphs (1) and
(2) as subparagraphs (A) and (B), respectively;
(B) by moving such redesignated subpara-
graphs 2 ems to the right;
(C) by striking “A seller may” and insert-
ing “(1) SELLERS GENERALLY.—A seller may”;
and
(D) by adding at the end the following new
paragraph:
“(2) ONLINE SELLERS.—An online seller of
contact lenses shall provide a method that enables
an individual to electronically transmit, in accord-
ance with HIPAA privacy regulation (as defined in
section 1180(b)(3) of the Social Security Act (42
U.S.C. 1320d–9(b)(3))), a copy of a contact lens
prescription for such individual.
“(3) ENCRYPTION REQUIRED.—Any protected
health information (as defined for purposes of the
HIPAA privacy regulation) that an online seller
sends pursuant to this section by email shall be
encrypted.”;
(2) in subsection (c)(6), by striking “and tele-
phone number” and inserting the following: “, tele-
phone number, and email address”; and
(3) in subsection (g), by striking the period at the end and inserting the following: “but does not include a call made using an artificial or prerecorded voice.”.