MUR24233 T7Y   S.L.C.

118TH CONGRESS
2D SESSION

S. ___

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

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IN THE SENATE OF THE UNITED STATES

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Ms. DUCKWORTH (for herself and Mr. BOOZMAN) introduced the following bill;
which was read twice and referred to the Committee on
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A BILL

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

1   *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4   This Act may be cited as the "Contact Lens Prescrip-

5 tion Verification Modernization Act".

6 **SEC. 2. AMENDMENTS.**

7   Section 4 of the Fairness to Contact Lens Consumers

8 Act (15 U.S.C. 7603) is amended—

9   (1) in subsection (a)—

1   (A) by redesignating paragraphs (1) and

2   (2) as subparagraphs (A) and (B), respectively,

3   and adjusting the margins accordingly;

4   (B) by striking "A seller may" and insert-

5   ing the following:

6   "(1) SELLERS GENERALLY.—A seller may";

7 and

8   (C) by adding at the end the following new

9   paragraphs:

10   "(2) ONLINE SELLERS.—An online seller of

11 contact lenses shall provide a method that enables

12 an individual to electronically transmit, in accord-

13 ance with the HIPAA privacy regulation (as defined

14 in section 1180(b)(3) of the Social Security Act (42

15 U.S.C. 1320d–9(b)(3))), a copy of a contact lens

16 prescription for such individual.

17   "(3) ENCRYPTION REQUIRED.—Any protected

18 health information (as defined for purposes of the

19 HIPAA privacy regulation) that an online seller

20 sends pursuant to this section by email shall be

21 encrypted.";

22   (2) in subsection (c)(6), by striking "and tele-

23 phone number" and inserting the following: ", tele-

24 phone number, and email address"; and

1   (3) in subsection (g), by striking the period at
2   the end and inserting the following: ", but does not
3   include a call made using an artificial or prerecorded
4   voice.".