

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.

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 (B) by moving such redesignated subpara-  
4 graphs 2 ems to the right;

5 (C) by striking “A seller may” and insert-  
6 ing “(1) SELLERS GENERALLY.—A seller may”;  
7 and

8 (D) by adding at the end the following new  
9 paragraph:

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 HIPAA privacy regulation (as defined in  
14 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.”.

○