

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Revised

Senate Bill 632 (Senator Roesser. *et al.*)

Economic and Environmental Affairs

Optometrists and Physicians - Replacement Contact Lens Prescriptions

This bill requires a licensed optometrist or physician to provide to a patient or a patient's designee, without cost to the patient, a copy of the patient's replacement contact lens prescription, if requested by the patient. If, after an examination of the patient, the patient's prescription has not changed since the last examination, the licensed optometrist or physician must provide the replacement lens prescription without requiring the patient to purchase contact lenses or undergo immediate follow-up care. The replacement contact lens prescription must: (1) contain the specified information necessary for the proper dispensing of the replacement lens; (2) be in writing and placed in the patient's permanent file; and (3) contain the expiration date of the replacement contact lens prescription. A licensed optometrist or physician is not liable for any injury to or condition of a patient caused by the negligence of the contact lens dispenser if the prescription was not dispensed by the optometrist, physician, or any person associated with the optometrist or physician. A licensed optometrist or physician who fills or provides a contact lens prescription must maintain a record of that prescription.

Any person who fails to provide a replacement contact lens prescription or who knowingly sells or dispenses replacement contact lenses without a valid or unexpired prescription is subject to a fine by either the State Board of Examiners in Optometry or the State Board of Physician Quality Assurance. The applicable board may impose a maximum fine of \$1,000.

Fiscal Summary

State Effect: Minimal increase in general fund revenues due to the bill's monetary penalty provisions. Any increase in expenditures or workload could be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

Background: Currently, the majority of optometrists and ophthalmologists will provide a patient with a replacement contact lens prescription if it is requested by the patient.

Information Source(s): Department of Health and Mental Hygiene (Board of Examiners in Optometry, Board of Physician Quality Assurance), Office of Administrative Hearings, Department of Legislative Services

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