

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass
<b>Vote:</b>	6 - 1 - 2
<b>Yeas:</b>	Bonamici, Flores, Gelser, Kotek, Maurer, Greenlick
<b>Nays:</b>	Richardson
<b>Exc.:</b>	Bruun, Cannon
<b>Prepared By:</b>	Sandy Thiele-Cirka, Administrator
<b>Meeting Dates:</b>	2/22 (policy sub), 3/02 (full), 3/09 (full)

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**WHAT THE MEASURE DOES:** Requires a valid, unexpired prescription before ophthalmic contact lenses can be dispensed or sold. Defines ophthalmic contact lens to include lens with or without refractive power.

**ISSUES DISCUSSED:**

- Current outreach and education efforts to retailers
- Level of violations in Oregon
- Enforcement mechanism
- Current federal regulations
- Plano lenses packaging and U.S. Food and Drug Administration's (FDA) required notification
- Current consumer protection efforts
- Scope of medical device regulation and enforcement activities
- Funding limitations for enforcement
- Examples of eye damage
- Efforts to regulate distributors and vendors

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The U.S. Food and Drug Administration (FDA) considers any ophthalmic contact lens to be a medical device. This means that a written prescription by an optometric physician or ophthalmologist is required for the lenses to be dispensed or sold. Plano lenses, which are zero-powered or non-corrective lenses and are usually worn for decorative purposes, are being distributed and sold without prescription or proper fitting by a qualified eye care professional in establishments across Oregon. These lenses have been found in flea markets, beauty salons, video and record stores and convenience stores. The FDA states that these lenses carry the same safety risks as other lenses.

SB 82 prohibits the dispensing or selling of any ophthalmic contact lenses without a valid prescription.