



SAFE BUYING: MEDICAL PRODUCTS AND TREATMENTS

by Texas Attorney General Greg Abbott

OVER THE PAST SEVERAL weeks, my Consumer Protection Division has halted three separate outfits that put consumers at risk for serious eye injury by selling contact lenses without physician approval. Dispensing any contact lenses, even noncorrective lenses or lenses which are intended solely to change the appearance of the eye, still requires a permit and a prescription from a physician or optometrist.

Two of the businesses were operating from local flea markets, where dispensing contact lenses is never permitted. The businesses rarely obtained a prescription from the consumers, but sold them the contact lenses anyway.

Selling and dispensing contact lenses without prescription is a serious violation of the Contact Lens Prescription Act as well as the Texas Deceptive Trade Practices Act.

Before you buy contact lenses from someone other than your eye care professional, take simple precautions to ensure your purchase is safe and effective.

Have a current, valid prescription when you order contact lenses. To keep

your eyesight healthy, you should not order lenses with a prescription that has expired or stock up on disposable lenses right before they expire. Have your eyes re-checked by a licensed eye care professional.

Order contact lenses from a trusted supplier. Request the manufacturer's written instructions for use of your new lenses as well as other risk and benefit information.

Check back with your eye care professional after receiving the lenses to be sure they are the correct prescription. Do not accept substitutions unless approved by your eye care professional. Slight changes in weight, diameter and other measurements can affect your eyesight.

The health and safety of Texas consumers is a high priority for my administration. In addition to halting unlawful contact lens operations, three years ago, we effectively halted the unlawful selling and clinical use of prescription "colonic hydrotherapy" devices in several Texas cities. The treatments consisted of using prescription nozzles and systems to thoroughly cleanse the colon, which

requires physician oversight under federal and state law. In addition, the purchase, possession and use of the devices must be done with the approval of a physician. Colonic irrigation without physician oversight poses potential dangers to patients, including death.

Our office was also successful in shutting down four ultrasound imaging companies that were operating ultrasound equipment without physician oversight. The companies offered fetal sonograms to pregnant women as "keepsake" photos and videos. The operators did not inform the women that prescriptions are required before such devices may be used. A physician often approves sonograms only for medical and diagnostic purposes, not for memento purposes.

My office takes action against such unlawful practices upon referral of the cases from the Texas Department of State Health Services (DSHS). Consumers may file complaints about unlawful medical practices by calling the Texas Department of State Health Services at 1-800-942-5540.

POINTS TO REMEMBER



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- Always have a current prescription from a licensed eye care professional when buying contact lenses.
- Purchase contact lenses from a trusted, reliable source. Flea market sales of contact lenses are illegal.
- Contact lens sales are regulated by both the U.S. Food and Drug Administration (www.fda.gov) and the Federal Trade Commission (www.ftc.gov).
- To file a complaint about the unauthorized or unlicensed sale of medical products or treatments, contact the Texas Department of State Health Services online at www.dshs.state.tx.us or by phone at 1 (800) 942-5540.
- You may also file a complaint with the Texas Attorney General's office online at www.oag.state.tx.us or by phone at 1 (800) 252-8011.



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