



HOUSE BILL No. 5302

February 8, 2000, Introduced by Reps. Jacobs, Hale, Switalski, Lockwood, Woodward, Mans, Tesanovich, Hansen, Daniels, Gielegem, Bovin, Garza, Clark, Stallworth, Price, Brater, DeWeese, Kowall, Law, O'Neil, Dennis, DeHart, Scott, Toy, LaForge, Thomas and Lemmons and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 1998 PA 227 and section 16226 as amended by 1998 PA 109, and by adding sections 17017, 17416, and 17517.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16221. The department may investigate activities
2 related to the practice of a health profession by a licensee, a
3 registrant, or an applicant for licensure or registration. The
4 department may hold hearings, administer oaths, and order rele-
5 vant testimony to be taken and shall report its findings to the
6 appropriate disciplinary subcommittee. The disciplinary
7 subcommittee shall proceed under section 16226 if it finds that 1
8 or more of the following grounds exist:

1 (a) A violation of general duty, consisting of negligence or
2 failure to exercise due care, including negligent delegation to
3 or supervision of employees or other individuals, whether or not
4 injury results, or any conduct, practice, or condition which
5 impairs, or may impair, the ability to safely and skillfully
6 practice the health profession.

7 (b) Personal disqualifications, consisting of 1 or more of
8 the following:

9 (i) Incompetence.

10 (ii) Subject to sections 16165 to 16170a, substance abuse as
11 defined in section 6107.

12 (iii) Mental or physical inability reasonably related to and
13 adversely affecting the licensee's ability to practice in a safe
14 and competent manner.

15 (iv) Declaration of mental incompetence by a court of compe-
16 tent jurisdiction.

17 (v) Conviction of a misdemeanor punishable by imprisonment
18 for a maximum term of 2 years; a misdemeanor involving the ille-
19 gal delivery, possession, or use of a controlled substance; or a
20 felony. A certified copy of the court record is conclusive evi-
21 dence of the conviction.

22 (vi) Lack of good moral character.

23 (vii) Conviction of a criminal offense under sections 520a
24 to 520l of the Michigan penal code, 1931 PA 328, MCL 750.520a to
25 750.520l. A certified copy of the court record is conclusive
26 evidence of the conviction.

1 (viii) Conviction of a violation of section 492a of the
2 Michigan penal code, 1931 PA 328, MCL 750.492a. A certified copy
3 of the court record is conclusive evidence of the conviction.

4 (ix) Conviction of a misdemeanor or felony involving fraud
5 in obtaining or attempting to obtain fees related to the practice
6 of a health profession. A certified copy of the court record is
7 conclusive evidence of the conviction.

8 (x) Final adverse administrative action by a licensure, reg-
9 istration, disciplinary, or certification board involving the
10 holder of, or an applicant for, a license or registration regu-
11 lated by another state or a territory of the United States, by
12 the United States military, by the federal government, or by
13 another country. A certified copy of the record of the board is
14 conclusive evidence of the final action.

15 (xi) Conviction of a misdemeanor that is reasonably related
16 to or that adversely affects the licensee's ability to practice
17 in a safe and competent manner. A certified copy of the court
18 record is conclusive evidence of the conviction.

19 (c) Prohibited acts, consisting of 1 or more of the
20 following:

21 (i) Fraud or deceit in obtaining or renewing a license or
22 registration.

23 (ii) Permitting the license or registration to be used by an
24 unauthorized person.

25 (iii) Practice outside the scope of a license.

26 (iv) Obtaining, possessing, or attempting to obtain or
27 possess a controlled substance as defined in section 7104 or a

1 drug as defined in section 7105 without lawful authority; or
2 selling, prescribing, giving away, or administering drugs for
3 other than lawful diagnostic or therapeutic purposes.

4 (d) Unethical business practices, consisting of 1 or more of
5 the following:

6 (i) False or misleading advertising.

7 (ii) Dividing fees for referral of patients or accepting
8 kickbacks on medical or surgical services, appliances, or medica-
9 tions purchased by or in behalf of patients.

10 (iii) Fraud or deceit in obtaining or attempting to obtain
11 third party reimbursement.

12 (e) Unprofessional conduct, consisting of 1 or more of the
13 following:

14 (i) Misrepresentation to a consumer or patient or in obtain-
15 ing or attempting to obtain third party reimbursement in the
16 course of professional practice.

17 (ii) Betrayal of a professional confidence.

18 (iii) Promotion for personal gain of an unnecessary drug,
19 device, treatment, procedure, or service.

20 (iv) Directing or requiring an individual to purchase or
21 secure a drug, device, treatment, procedure, or service from
22 another person, place, facility, or business in which the
23 licensee has a financial interest.

24 (f) Failure to report a change of name or mailing address
25 within 30 days after the change occurs.

26 (g) A violation, or aiding or abetting in a violation, of
27 this article or of a rule promulgated under this article.

1 (h) Failure to comply with a subpoena issued pursuant to
 2 this part, failure to respond to a complaint issued under this
 3 article or article 7, failure to appear at a compliance confer-
 4 ence or an administrative hearing, or failure to report under
 5 section 16222 or 16223.

6 (i) Failure to pay an installment of an assessment levied
 7 pursuant to ~~section 2504~~ of the insurance code of 1956, 1956 PA
 8 218, MCL ~~500.2504~~ 500.101 TO 500.8302, within 60 days after
 9 notice by the appropriate board.

10 (j) A violation of section 17013 or 17513.

11 (k) Failure to meet 1 or more of the requirements for licen-
 12 sure or registration under section 16174.

13 (l) A violation of section 17015 or 17515.

14 (m) A violation of section 17016 or 17516.

15 (n) Failure to comply with section 9206(3).

16 (o) A violation of section 5654 or 5655.

17 (p) A violation of section 16274.

18 (Q) A VIOLATION OF SECTION 17017, 17416, OR 17517.

19 Sec. 16226. (1) After finding the existence of 1 or more of
 20 the grounds for disciplinary subcommittee action listed in sec-
 21 tion 16221, a disciplinary subcommittee shall impose 1 or more of
 22 the following sanctions for each violation:

23

24 Violations of Section 16221

Sanctions

25 Subdivision (a), (b)(ii), Probation, limitation, denial,
 26 (b)(iv), (b)(vi), or suspension, revocation,

1	(b)(vii)	restitution, community service,
2		or fine.
3	Subdivision (b)(viii)	Revocation or denial.
4	Subdivision (b)(i),	Limitation, suspension,
5	(b)(iii), (b)(v),	revocation, denial,
6	(b)(ix),	probation, restitution,
7	(b)(x), or (b)(xi)	community service, or fine.
8	Subdivision (c)(i)	Denial, revocation, suspension,
9		probation, limitation, commu-
10		nity service, or fine.
11	Subdivision (c)(ii)	Denial, suspension, revocation,
12		restitution, community service,
13		or fine.
14	Subdivision (c)(iii)	Probation, denial, suspension,
15		revocation, restitution, commu-
16		nity service, or fine.
17	Subdivision (c)(iv)	Fine, probation, denial,
18	or (d)(iii)	suspension, revocation, commu-
19		nity service,
20		or restitution.
21	Subdivision (d)(i)	Reprimand, fine, probation,
22	or (d)(ii)	community service, denial,
23		or restitution.
24	Subdivision (e)(i)	Reprimand, fine, probation,
25		limitation, suspension, commu-
26		nity service, denial, or
27		restitution.

- 1 Subdivision (e)(ii) Reprimand, probation,
2 or (h) suspension, restitution, commu-
3 nity service, denial, or fine.
- 4 Subdivision (e)(iii) Reprimand, fine, probation,
5 or (e)(iv) suspension, revocation, limita-
6 tion, community service,
7 denial, or restitution.
- 8 Subdivision (f) Reprimand or fine.
- 9 Subdivision (g) Reprimand, probation, denial,
10 suspension, revocation, limita-
11 tion, restitution, community
12 service, or fine.
- 13 Subdivision (i) Suspension or fine.
- 14 Subdivision (j) or (o) Reprimand or fine.
- 15 Subdivision (k) Reprimand, denial, or
16 limitation.
- 17 Subdivision (l), ~~or~~
18 (n), OR (Q) Denial, revocation, restitution,
19 probation, suspension, limita-
20 tion, reprimand, or fine.
- 21 Subdivision (m) Revocation or denial.
- 22 Subdivision (p) Revocation.
- 23 (2) Determination of sanctions for violations under this
24 section shall be made by a disciplinary subcommittee. If, during
25 judicial review, the court of appeals determines that a final
26 decision or order of a disciplinary subcommittee prejudices
27 substantial rights of the petitioner for 1 or more of the grounds

1 listed in section 106 of the administrative procedures act of
2 1969, 1969 PA 306, MCL 24.306, and holds that the final decision
3 or order is unlawful and is to be set aside, the court shall
4 state on the record the reasons for the holding and may remand
5 the case to the disciplinary subcommittee for further
6 consideration.

7 (3) A disciplinary subcommittee may impose ~~a~~ AN
8 ADMINISTRATIVE fine of ~~up to, but not exceeding,~~ NOT MORE THAN
9 \$250,000.00 for a violation of section 16221(a) or (b). A DISCI-
10 PLINARY SUBCOMMITTEE MAY IMPOSE AN ADMINISTRATIVE FINE OF NOT
11 MORE THAN \$10,000.00 FOR A VIOLATION OF SECTION 17017, 17416, OR
12 17517.

13 (4) A disciplinary subcommittee may require a licensee or
14 registrant or an applicant for licensure or registration who has
15 violated this article or article 7 or a rule promulgated under
16 this article or article 7 to satisfactorily complete an educa-
17 tional program, a training program, or a treatment program, a
18 mental, physical, or professional competence examination, or a
19 combination of those programs and examinations.

20 SEC. 17017. (1) SUBJECT TO SUBSECTION (2), IF A PHYSICIAN
21 WHO SPECIALIZES IN OPHTHALMOLOGY DETERMINES UPON EXAMINING A
22 PATIENT THAT THE PATIENT NEEDS CONTACT LENSES, THE PHYSICIAN
23 SHALL GIVE THE PATIENT A COPY OF THE PRESCRIPTION FOR THE CONTACT
24 LENSES IF BOTH OF THE FOLLOWING OCCUR:

25 (A) THE PATIENT HAS HAD AN INITIAL FITTING AND A
26 CONTACT-LENS-RELATED FOLLOW-UP VISIT IS NOT SCHEDULED WITHIN 30
27 DAYS OF THE INITIAL FITTING.

1 (B) THE PATIENT REQUESTS A COPY OF THE PRESCRIPTION.

2 (2) A PHYSICIAN WHO SPECIALIZES IN OPHTHALMOLOGY MAY REFUSE
3 TO GIVE THE PATIENT A COPY OF THE PRESCRIPTION UNDER SUBSECTION
4 (1) ONLY UNDER 1 OR MORE OF THE FOLLOWING CIRCUMSTANCES:

5 (A) THE PATIENT HAS NOT PAID FOR THE LATEST EYE EXAMINATION
6 AND THE PHYSICIAN WOULD HAVE REQUIRED IMMEDIATE PAYMENT FROM THE
7 PATIENT FOR THE EYE EXAMINATION IF THE EYE EXAMINATION HAD
8 REVEALED THAT NO CONTACT LENSES OR OTHER OPHTHALMIC GOODS WERE
9 REQUIRED BY THE PATIENT.

10 (B) THE PATIENT HAS NOT PAID THE PHYSICIAN FOR GOODS OR
11 SERVICES PREVIOUSLY RENDERED TO THE PATIENT BY THE PHYSICIAN.

12 (C) THE PHYSICIAN MAKES A GOOD FAITH DETERMINATION THAT
13 GIVING THE PATIENT A COPY OF THE PRESCRIPTION FOR THE CONTACT
14 LENSES WOULD POSE AN IMMINENT DANGER TO THE PATIENT'S OCULAR
15 HEALTH.

16 (3) IF A PHYSICIAN GIVES A PATIENT A PRESCRIPTION FOR CON-
17 TACT LENSES UNDER THIS SECTION AND IF THE PATIENT HAS THE PRE-
18 SCRIPTON FILLED BY A PERSON OTHER THAN THE PHYSICIAN OR A PERSON
19 EMPLOYED BY OR UNDER CONTRACT TO THE PHYSICIAN, THE PHYSICIAN IS
20 NOT LIABLE IN A CIVIL ACTION FOR DAMAGES FOR AN INJURY TO THE
21 PATIENT CAUSED DIRECTLY OR INDIRECTLY BY THE MANUFACTURING, PACK-
22 AGING, OR DISPENSING OF THE CONTACT LENSES.

23 (4) A PHYSICIAN WHO ISSUES A PRESCRIPTION FOR CONTACT LENSES
24 SHALL INCLUDE A DIRECTIVE TO THE PERSON FILLING THE PRESCRIPTION
25 TO INCLUDE THE FOLLOWING WRITTEN WARNING WITH THE CONTACT
26 LENSES:

1 "NOTICE: IF YOU EXPERIENCE ANY UNEXPLAINED EYE
2 DISCOMFORT, WATERING, VISION CHANGE, OR REDNESS,
3 REMOVE YOUR CONTACT LENSES IMMEDIATELY AND
4 CONSULT YOUR EYE CARE PRACTITIONER BEFORE
5 WEARING YOUR CONTACT LENSES AGAIN."

6 (5) AS USED IN THIS SECTION:

7 (A) "OPHTHALMIC GOODS" MEANS EYEGLASSES OR ANY COMPONENT OF
8 EYEGLASSES, OR CONTACT LENSES.

9 (B) "PRESCRIPTION" MEANS THAT TERM AS DEFINED IN SECTION
10 17708, BUT SPECIFICALLY INCLUDES ALL OF THE FOLLOWING:

11 (i) THE PATIENT'S NAME AND A WRITTEN DESCRIPTION OF THE
12 APPROPRIATE OPTICAL AND PHYSICAL CHARACTERISTICS OF THE CONTACT
13 LENSES INCLUDING ALL OF THE FOLLOWING:

14 (A) DIOPTIC POWER OF THE CONTACT LENS.

15 (B) BASE CURVE OF THE CONTACT LENS.

16 (C) THE DIAMETER OF THE CONTACT LENS.

17 (D) THE BRAND OR TRADE NAME OF THE CONTACT LENS.

18 (ii) A SCHEDULE FOR WEARING THE CONTACT LENSES AND A REGIMEN
19 FOR THE CARE OF THE CONTACT LENSES.

20 (iii) A DIRECTIVE THAT THE CONTACT LENS PRESCRIPTION BE DIS-
21 PENSED AS WRITTEN.

22 (iv) THE NUMERICAL QUANTITY OF CONTACT LENSES TO BE DIS-
23 PENSED UNDER THE INITIAL CONTACT LENS PRESCRIPTION.

24 (v) THE NUMBER OF REFILLS ALLOWED UNDER THE CONTACT LENS
25 PRESCRIPTION.

26 (vi) THE DATE OF ISSUANCE AND A SPECIFIC EXPIRATION DATE FOR
27 THE CONTACT LENS PRESCRIPTION.

1 (vii) THE PRINTED NAME, BUSINESS ADDRESS, AND TELEPHONE
2 NUMBER OF THE PRESCRIBING PHYSICIAN.

3 SEC. 17416. (1) SUBJECT TO SUBSECTION (2), IF AN OPTOME-
4 TRIST DETERMINES UPON EXAMINING A PATIENT THAT THE PATIENT NEEDS
5 CONTACT LENSES, THE OPTOMETRIST SHALL GIVE THE PATIENT A COPY OF
6 THE PRESCRIPTION FOR THE CONTACT LENSES IF BOTH OF THE FOLLOWING
7 OCCUR:

8 (A) THE PATIENT HAS HAD AN INITIAL FITTING AND A
9 CONTACT-LENS-RELATED FOLLOW-UP VISIT IS NOT SCHEDULED WITHIN 30
10 DAYS OF THE INITIAL FITTING.

11 (B) THE PATIENT REQUESTS A COPY OF THE PRESCRIPTION.

12 (2) AN OPTOMETRIST MAY REFUSE TO GIVE THE PATIENT A COPY OF
13 THE PRESCRIPTION UNDER SUBSECTION (1) ONLY UNDER 1 OR MORE OF THE
14 FOLLOWING CIRCUMSTANCES:

15 (A) THE PATIENT HAS NOT PAID FOR THE LATEST EYE EXAMINATION
16 AND THE OPTOMETRIST WOULD HAVE REQUIRED IMMEDIATE PAYMENT FROM
17 THE PATIENT FOR THE EYE EXAMINATION IF THE EYE EXAMINATION HAD
18 REVEALED THAT NO CONTACT LENSES OR OTHER OPHTHALMIC GOODS WERE
19 REQUIRED BY THE PATIENT.

20 (B) THE PATIENT HAS NOT PAID THE OPTOMETRIST FOR GOODS OR
21 SERVICES PREVIOUSLY RENDERED TO THE PATIENT BY THE OPTOMETRIST.

22 (C) THE OPTOMETRIST MAKES A GOOD FAITH DETERMINATION THAT
23 GIVING THE PATIENT A COPY OF THE PRESCRIPTION FOR THE CONTACT
24 LENSES WOULD POSE AN IMMINENT DANGER TO THE PATIENT'S OCULAR
25 HEALTH.

26 (3) IF AN OPTOMETRIST GIVES A PATIENT A PRESCRIPTION FOR
27 CONTACT LENSES UNDER THIS SECTION AND IF THE PATIENT HAS THE

1 PRESCRIPTION FILLED BY A PERSON OTHER THAN THE OPTOMETRIST OR A
2 PERSON EMPLOYED BY OR UNDER CONTRACT TO THE OPTOMETRIST, THE
3 OPTOMETRIST IS NOT LIABLE IN A CIVIL ACTION FOR DAMAGES FOR AN
4 INJURY TO THE PATIENT CAUSED DIRECTLY OR INDIRECTLY BY THE MANU-
5 FACTURING, PACKAGING, OR DISPENSING OF THE CONTACT LENSES.

6 (4) AN OPTOMETRIST WHO ISSUES A PRESCRIPTION FOR CONTACT
7 LENSES SHALL INCLUDE A DIRECTIVE TO THE PERSON FILLING THE PRE-
8 SCRIPTION TO INCLUDE THE FOLLOWING WRITTEN WARNING WITH THE CON-
9 TACT LENSES:

10 "NOTICE: IF YOU EXPERIENCE ANY UNEXPLAINED EYE
11 DISCOMFORT, WATERING, VISION CHANGE, OR REDNESS,
12 REMOVE YOUR CONTACT LENSES IMMEDIATELY AND
13 CONSULT YOUR EYE CARE PRACTITIONER BEFORE
14 WEARING YOUR CONTACT LENSES AGAIN.".

15 (5) AS USED IN THIS SECTION:

16 (A) "OPHTHALMIC GOODS" MEANS EYEGASSES OR ANY COMPONENT OF
17 EYEGASSES, OR CONTACT LENSES.

18 (B) "PRESCRIPTION" MEANS THAT TERM AS DEFINED IN SECTION
19 17708, BUT SPECIFICALLY INCLUDES ALL OF THE FOLLOWING:

20 (i) THE PATIENT'S NAME AND A WRITTEN DESCRIPTION OF THE
21 APPROPRIATE OPTICAL AND PHYSICAL CHARACTERISTICS OF THE CONTACT
22 LENSES INCLUDING ALL OF THE FOLLOWING:

23 (A) DIOPTIC POWER OF THE CONTACT LENS.

24 (B) BASE CURVE OF THE CONTACT LENS.

25 (C) THE DIAMETER OF THE CONTACT LENS.

26 (D) THE BRAND OR TRADE NAME OF THE CONTACT LENS.

1 (ii) A SCHEDULE FOR WEARING THE CONTACT LENSES AND A REGIMEN
2 FOR THE CARE OF THE CONTACT LENSES.

3 (iii) A DIRECTIVE THAT THE CONTACT LENS PRESCRIPTION BE DIS-
4 PENSED AS WRITTEN.

5 (iv) THE NUMERICAL QUANTITY OF CONTACT LENSES TO BE DIS-
6 PENSED UNDER THE INITIAL CONTACT LENS PRESCRIPTION.

7 (v) THE NUMBER OF REFILLS ALLOWED UNDER THE CONTACT LENS
8 PRESCRIPTION.

9 (vi) THE DATE OF ISSUANCE AND A SPECIFIC EXPIRATION DATE FOR
10 THE CONTACT LENS PRESCRIPTION.

11 (vii) THE PRINTED NAME, BUSINESS ADDRESS, AND TELEPHONE
12 NUMBER OF THE PRESCRIBING PHYSICIAN.

13 SEC. 17517. (1) SUBJECT TO SUBSECTION (2), IF A PHYSICIAN
14 WHO SPECIALIZES IN OPHTHALMOLOGY DETERMINES UPON EXAMINING A
15 PATIENT THAT THE PATIENT NEEDS CONTACT LENSES, THE PHYSICIAN
16 SHALL GIVE THE PATIENT A COPY OF THE PRESCRIPTION FOR THE CONTACT
17 LENSES IF BOTH OF THE FOLLOWING OCCUR:

18 (A) THE PATIENT HAS HAD AN INITIAL FITTING AND A
19 CONTACT-LENS-RELATED FOLLOW-UP VISIT IS NOT SCHEDULED WITHIN 30
20 DAYS AFTER THE INITIAL FITTING.

21 (B) THE PATIENT REQUESTS A COPY OF THE PRESCRIPTION.

22 (2) A PHYSICIAN WHO SPECIALIZES IN OPHTHALMOLOGY MAY REFUSE
23 TO GIVE THE PATIENT A COPY OF THE PRESCRIPTION UNDER SUBSECTION
24 (1) ONLY UNDER 1 OR MORE OF THE FOLLOWING CIRCUMSTANCES:

25 (A) THE PATIENT HAS NOT PAID FOR THE LATEST EYE EXAMINATION
26 AND THE PHYSICIAN WOULD HAVE REQUIRED IMMEDIATE PAYMENT FROM THE
27 PATIENT FOR THE EYE EXAMINATION IF THE EYE EXAMINATION HAD

1 REVEALED THAT NO CONTACT LENSES OR OTHER OPHTHALMIC GOODS WERE
2 REQUIRED BY THE PATIENT.

3 (B) THE PATIENT HAS NOT PAID THE PHYSICIAN FOR GOODS OR
4 SERVICES PREVIOUSLY RENDERED TO THE PATIENT BY THE PHYSICIAN.

5 (C) THE PHYSICIAN MAKES A GOOD FAITH DETERMINATION THAT
6 GIVING THE PATIENT A COPY OF THE PRESCRIPTION FOR THE CONTACT
7 LENSES WOULD POSE AN IMMINENT DANGER TO THE PATIENT'S OCULAR
8 HEALTH.

9 (3) IF A PHYSICIAN GIVES A PATIENT A PRESCRIPTION FOR CON-
10 TACT LENSES UNDER THIS SECTION AND IF THE PATIENT HAS THE PRE-
11 SCRIPTON FILLED BY A PERSON OTHER THAN THE PHYSICIAN OR A PERSON
12 EMPLOYED BY OR UNDER CONTRACT TO THE PHYSICIAN, THE PHYSICIAN IS
13 NOT LIABLE IN A CIVIL ACTION FOR DAMAGES FOR AN INJURY TO THE
14 PATIENT CAUSED DIRECTLY OR INDIRECTLY BY THE MANUFACTURING, PACK-
15 AGING, OR DISPENSING OF THE CONTACT LENSES.

16 (4) A PHYSICIAN WHO ISSUES A PRESCRIPTION FOR CONTACT LENSES
17 SHALL INCLUDE A DIRECTIVE TO THE PERSON FILLING THE PRESCRIPTION
18 TO INCLUDE THE FOLLOWING WRITTEN WARNING WITH THE CONTACT
19 LENSES:

20 "NOTICE: IF YOU EXPERIENCE ANY UNEXPLAINED EYE
21 DISCOMFORT, WATERING, VISION CHANGE, OR REDNESS,
22 REMOVE YOUR CONTACT LENSES IMMEDIATELY AND
23 CONSULT YOUR EYE CARE PRACTITIONER BEFORE
24 WEARING YOUR CONTACT LENSES AGAIN."

25 (5) AS USED IN THIS SECTION:

26 (A) "OPHTHALMIC GOODS" MEANS EYEGASSES OR ANY COMPONENT OF
27 EYEGASSES, OR CONTACT LENSES.

1 (B) "PRESCRIPTION" MEANS THAT TERM AS DEFINED IN SECTION
2 17708, BUT SPECIFICALLY INCLUDES ALL OF THE FOLLOWING:

3 (i) THE PATIENT'S NAME AND A WRITTEN DESCRIPTION OF THE
4 APPROPRIATE OPTICAL AND PHYSICAL CHARACTERISTICS OF THE CONTACT
5 LENSES INCLUDING ALL OF THE FOLLOWING:

6 (A) DIOPTIC POWER OF THE CONTACT LENS.

7 (B) BASE CURVE OF THE CONTACT LENS.

8 (C) THE DIAMETER OF THE CONTACT LENS.

9 (D) THE BRAND OR TRADE NAME OF THE CONTACT LENS.

10 (ii) A SCHEDULE FOR WEARING THE CONTACT LENSES AND A REGIMEN
11 FOR THE CARE OF THE CONTACT LENSES.

12 (iii) A DIRECTIVE THAT THE CONTACT LENS PRESCRIPTION BE DIS-
13 PENSED AS WRITTEN.

14 (iv) THE NUMERICAL QUANTITY OF CONTACT LENSES TO BE DIS-
15 PENSED UNDER THE INITIAL CONTACT LENS PRESCRIPTION.

16 (v) THE NUMBER OF REFILLS ALLOWED UNDER THE CONTACT LENS
17 PRESCRIPTION.

18 (vi) THE DATE OF ISSUANCE AND A SPECIFIC EXPIRATION DATE FOR
19 THE CONTACT LENS PRESCRIPTION.

20 (vii) THE PRINTED NAME, BUSINESS ADDRESS, AND TELEPHONE
21 NUMBER OF THE PRESCRIBING PHYSICIAN.