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Testimony from:

Courtney Joslin, Resident Fellow and Senior Manager, Competition Policy, R Street Institute

In SUPPORT of S.B. 365, purchasing contact lenses by telemedicine

November 3, 2023

Michigan Senate Health Policy Committee

Dear Chair Hertel, Majority Vice Chair Santana, Minority Vice Chair Webber, and members of the Senate Health Policy Committee,

My name is Courtney Joslin and I am a resident fellow at the R Street Institute. R Street is a nonprofit, nonpartisan public policy research organization whose mission is to engage in policy research that supports free markets and limited, effective government. My research focus is sensibly reforming and deregulating health care to improve access. This applies to state and federal telehealth reforms.<sup>1</sup> Today, I am writing in support of Senate Bill 365, which would allow Michiganders to purchase contact lens prescription renewals via telehealth platforms.

Since 2020, states have drastically increased their reliance on telehealth for patient access to healthcare.<sup>2</sup> This extends to prescription renewals for contacts. A number of states allowed online prescription renewals prior to the pandemic, but to date that number has grown to include nearly all states; Michigan is one exception. This directly affects residents' ability to use the convenient, competitive online marketplace of trusted retailers for contact lens prescriptions.

When it comes to safety, this bill does not violate generally accepted principles of patient safety for contact lens prescriptions.<sup>3</sup> First, a patient is still required to obtain an initial prescription in person via an eye exam with an optometrist. Once they have a regular prescription in hand, only

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<sup>1</sup> Courtney Joslin and Chung Yi See, "An Analysis of State and Federal Telehealth Reforms During and Beyond Covid-19," R Street Institute, November 2021, <https://www.rstreet.org/research/an-analysis-of-state-and-federal-telehealth-reforms-during-and-beyond-covid-19/>.

<sup>2</sup> Julia Shaver, "The State of Telehealth Before and After the COVID-19 Pandemic," *Primary Care* 49:4 December 2022, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9035352/>.

<sup>3</sup> Alysa Bernstein, Federal Trade Commission, "Contact lens prescription renewals: Prescribers still need to release that Rx," July 27, 2020, <https://www.ftc.gov/business-guidance/blog/2020/07/contact-lens-prescription-renewals-prescribers-still-need-release-rx>.



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then can they use online retailers to get renewals in the mail. This creates ease of access for consumers.

The role of state government in today's healthcare environment is to ensure that patients have access to the most convenient and least expensive options, so long as these options do not endanger patient safety. Telehealth for ocular care is not new, yet regulations have struggled to keep up with the changing environment. With SB 365, Michigan would finally be brought up to speed in the contact lens market. We recommend passage of SB 365.

Thank you for your time,

Courtney Joslin  
Resident Fellow and Senior Manager  
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