CLINICAL PRACTICE GUIDE

Release of spectacle and contact lens prescriptions by optometrists

Note: This clinical practice guide provides advice on the release of spectacle and contact lens prescriptions in optometric practice. It is not intended to be prescriptive or constitute legal advice. The guide should not be used as a substitute for statutory responsibilities and optometrists must ensure that they comply with State and Federal Law legislation and meet their responsibilities under common law.

• A spectacle or contact lens prescription is a written order detailing parameters necessary for the manufacturing and/or supply of the prescribed optical appliance for a patient. The prescription may be for the patient’s own records or an order to a third party to provide the ophthalmic goods specifically described.\(^1\) Prescriptions for spectacles or contact lenses can only be written and signed by an optometrist or medical practitioner. Under very limited circumstances, orthoptists may write prescriptions for spectacles only.

• Optical appliance refers to spectacles and contact lenses (whether corrective or cosmetic) and also includes low-vision devices such as magnifiers, binocular telescopes, monocular telescopes and electronic magnification devices.\(^2\)

• Patients of optometrists are entitled to a copy of their spectacle or contact lens prescription when such a prescription has been determined and finalised. This applies regardless of whether there is any change to a patient’s existing prescription. This right is provided both by common law and Medicare regulations by which all optometrists who provide Medicare services are bound.\(^3\)

• Prescriptions for both spectacles and contact lenses may be written or printed, should be signed by an optometrist with access to the clinical records of the patient, and must clearly identify:
  • the prescribing optometrist and their practice address;
  • the name of the patient for whom the appliance is prescribed;
  • date of issue of prescription;
  • date of eye examination at which the prescription was determined;
  • prescription expiry date; and
  • whether the prescription is for spectacles or contact lenses.

The most common expiry date for spectacle prescriptions is two years after the examination at which the prescription was determined. The most common expiry date for contact lenses is one year after the completion of the prescribing and fitting process. The optometrist may specify a

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2 Health Practitioner Regulation National Law (NSW) – Sect 122
3 Further information can be found in relevant federal, state and territory privacy laws that govern the use of health information and the Medicare Benefits Schedule Book — Optometrical Services Schedule which can be viewed here.
shorter or longer expiry date for both spectacle and contact lens prescriptions based on the clinical interests of the patient. However, expiry dates on spectacle and contact lens prescriptions are legislated in South Australia and Tasmania.\textsuperscript{4} Patients are entitled to access expired prescriptions. However, when a patient requests a copy of the prescription after the prescription expiry date, the prescription should be marked ‘expired’ and the implications of this should be explained to the patient.\textsuperscript{5}

- The minimum requirements for the content of a spectacle prescription are lens powers and prism.\textsuperscript{6} Optometrists are not required to include measurements such as inter pupillary distance (PD), though they may choose to do so. Contact lens prescriptions should specify the brand name of the contact lenses and any other information necessary to ensure accurate dispensing of the contact lenses e.g. powers, base curves.\textsuperscript{6}

- No additional fee should be charged for providing a copy of the prescription at the conclusion of an examination; however a charge may be applied commensurate with the costs involved in supplying the copy of the prescription after this time.\textsuperscript{6} Exceptions to this exist in South Australia and Tasmania where it is a requirement under law to provide a free copy of the prescription to a patient upon request, regardless of when the patient makes the request\textsuperscript{7}. In addition, The Privacy Act requires health service providers to give a patient access to their health information if requested.\textsuperscript{8} Optometrists are able to charge a fee for giving access; however the law stipulates that charges applied must not be excessive.

- Optometrists should not release a patient’s prescription to a third party without the consent of the patient, or his or her guardian. When an optometrist is requested to provide a prescription of a patient to a third party, the optometrist should be sure that the patient, or his or her guardian, has authorised the release of the prescription. Wherever possible, prescriptions supplied to third parties should be provided in written form, either by mail or electronically and it is reasonable to do so at the first available opportunity.

- In the interests of continuity of care, Optometry Australia encourages and supports the dispensing of visual aids at the same practice at which the relevant prescription was determined.

- Optometrists have a legal responsibility to provide services and determine prescriptions with due care and skill, as well as a duty of care to the patient to provide sufficient information to make an informed decision regarding the purchase of an optical appliance. An optometrist exceeding this duty of care is far less likely to be held responsible if a dispute arises when a patient purchases an

\textsuperscript{4} 18 months for CLs and 3 years for spectacles unless the optometrist specifies an earlier date based on clinical need. (Section 75 of the Health Practitioner Regulation National Law (South Australia) Act 2010 https://www.legislation.sa.gov.au/LZ/C/A/Health%20Practitioner%20Regulation%20National%20Law%20(South%20Australia)%20Act%202010.aspx (accessed December 2016))

\textsuperscript{5} Tasmanian and South Australian law prohibit dispensing an optical appliance pursuant to an expired prescription and statutory provisions also exist around expiry dates.


optical appliance from another dispenser. Optometrists may wish to develop a practice position on what information will be included in a prescription.

- Disclaimers may be used on a prescription to provide evidence that a patient has made an informed decision regarding the purchase of an optical appliance; however this does not abrogate an optometrist's legal responsibility to determine a prescription with due care and skill.
- The Optometry Board of Australia issues Guidelines on the prescription of ocular appliances which provide detailed advice on matters addressed in this document.