

1 SB453
2 118750-1
3 By Senator Smitherman
4 RFD: Banking and Insurance
5 First Read: 23-FEB-10

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8 SYNOPSIS: Under existing law, the Access to Eye Care
9 Act requires an insurance policy, plan, or contract
10 which provides for third-party payments for health
11 care to include payment to a licensed eye care
12 provider if the plan covers the same service
13 provided by other providers. The law also regulates
14 certain provisions in the insurance policies,
15 plans, or contracts.

16 This bill would amend the Access to Eye Care
17 Act requirements to prohibit an insurance policy,
18 plan, or contract from requiring an eye care
19 provider to purchase a certain minimum quantity or
20 minimum dollar amount of ophthalmic materials in
21 order to participate in the insurance plan.

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 To amend Section 27-56-4 of the Code of Alabama
2 1975, the Access to Eye Care Act, relating to health insurance
3 policies, plans, or contracts which provide third-party
4 payments for eye care services, to further regulate certain
5 conditions related to participation in the health insurance
6 plans.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 27-56-4 of the Code of Alabama
9 1975, is amended to read as follows:

10 "§27-56-4.

11 "An insurance policy, plan, or contract providing
12 for third-party payment or prepayment of health or medical
13 expenses shall not do any of the following:

14 "(1) Impose a practice restriction for optometrists
15 which is inconsistent with or more restrictive than provided
16 by law.

17 "(2) Discriminate between classes of eye care
18 providers with respect to any covered service which falls
19 within the scope of the eye care provider's license.

20 "(3) Require an eye care provider to hold hospital
21 privileges as a condition of participation in or receiving
22 payment from the policy, plan, or contract.

23 "(4) Impose any restriction not required by law
24 based on the eye care provider's professional degree.

25 "(5) Discriminate between eye care providers in
26 connection with the amount of reimbursement for the provision
27 of the same services.

1 "(6) Require an eye care provider to purchase or
2 maintain a minimum quantity or minimum dollar amount of a
3 specified brand of ophthalmic materials as a condition of
4 participation in or receiving payments from a policy, plan, or
5 contract."

6 Section 2. This act shall not apply to any insurance
7 policy, plan, or contract in effect on the effective date of
8 this act.

9 Section 3. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.