

1 plans eligible for selection shall submit information requested by
2 the Office of Management and Enterprise Services. For the plan year
3 beginning January 1, 2022, and for each year thereafter, the Office
4 of Management and Enterprise Services shall have the authority to
5 renew vision plan contracts with plan providers for succeeding one-
6 year terms if the provider had a contract for the immediately
7 preceding year. The Office of Management and Enterprise Services
8 may, at its discretion, require the provider to submit information
9 including, but not limited to, rate schedules, contact information
10 for the plan, policy limits and applicable deductibles and billing
11 practices of the plan prior to the renewal. Plans eligible for
12 selection shall meet or exceed the following criteria:

13 1. Has in place a statewide network of at least one hundred
14 fifty providers. "Providers", for purposes of this section, means
15 Optometrists (OD), Ophthalmologists (MD), and Ophthalmologists (DO)
16 which shall be counted once regardless of the number of locations
17 where they may practice. Optical shops and retail optical locations
18 shall not be listed as providers. The company offering the vision
19 plan must have a direct relationship with each provider on its
20 panel, and may not lease, borrow, or otherwise obtain use of a
21 provider panel from another company. This would not prevent a
22 company from offering its plan through one corporate entity and
23 administering the plan or provider panel through another legal
24 entity of the same organization so long as the entity receiving

1 premiums remains legally responsible for the payment of benefits.
2 Providers must be actively engaged in providing the services offered
3 under the vision plan they represent;

4 2. Has operated in Oklahoma for at least five (5) years;
5 provided, that an immediately prior operation in Oklahoma of a
6 nonsurviving corporation that merges into an affiliated corporation
7 shall be counted in determining whether the surviving corporation
8 has operated a plan in Oklahoma for five (5) years;

9 3. Is properly licensed, registered, certified or authorized to
10 operate its business in this state by the Insurance Department.

11 Vision plans must be offered by the company administering the plan,
12 not by an agent or third party. A company shall offer only one
13 vision plan and rate schedule for each plan year;

14 4. Presents accurate product information in a reproducible
15 format not to exceed two pages; and

16 5. Vision plans must provide an examination, frames and lenses,
17 and/or contact lenses and some form of indemnified payment to the
18 contracted providers for each component of the benefits, i.e., the
19 exam, frames and lenses and/or contact lenses. This does not
20 eliminate discounted supplementary benefits under a qualified plan,
21 so long as such benefits pertain to vision care.

22 B. Any administrative fees imposed by the Office of Management
23 and Enterprise Services shall be applied equally to all qualified
24 vision plans. There shall be no additional requirements imposed on

1 a vision plan other than the proper licensing, certification or
2 authorization to operate its business by the Oklahoma Insurance
3 Department.

4 C. No more than two Oklahoma-based vision care benefits
5 companies that meet the criteria as specified in subsection A of
6 this section and no more than two out-of-state vision care benefits
7 companies that meet the criteria as specified in subsection A of
8 this section shall be offered as vendors for enrollment in any state
9 employee benefit offering. For purposes of this subsection, an
10 "Oklahoma-based vision care benefits company" shall be defined as
11 follows:

12 1. A vision care benefits company that has a home office,
13 customer service and administration located within the State of
14 Oklahoma and is subject to Oklahoma state income taxes; or

15 2. A vision care benefits company that has a majority of
16 ownership interest held either directly or indirectly by residents
17 of the State of Oklahoma and is subject to Oklahoma state income
18 taxes.

19 D. In the event the number of vision companies submitting
20 offerings exceeds the amount permitted under subsection C of this
21 section, the Office of Management and Enterprise Services shall have
22 the authority to reject excess offerings based upon failures to meet
23 bid requirements or for providing lesser value for the State of
24 Oklahoma.

SECTION 2. This act shall become effective November 1, 2021.

COMMITTEE REPORT BY: COMMITTEE ON BANKING, FINANCIAL SERVICES AND PENSIONS, dated 03/29/2021 - DO PASS.

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