

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 485

By: Leewright

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6 AS INTRODUCED

7 <StartFT>An Act relating to vision insurance;  
8 creating the Vision Plan Contractual Requirements  
9 Act; defining terms; prohibiting vision insurance  
10 contracts requiring certain services; requiring  
11 written consent for certain vision service plans;  
12 prohibiting vision plan organizations and insurers  
13 from using written consent for one vision services  
14 plan for another; prohibiting vision service plan  
15 from changing certain aspects of agreement with  
16 optometrist providers without written consent;  
17 providing for codification; and providing an  
18 effective date. <EndFT>

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 7402 of Title 36, unless there  
22 is created a duplication in numbering, reads as follows:

23 This act shall be known and may be cited as the "Vision Plan  
24 Contractual Requirements Act".

SECTION 2. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 7403 of Title 36, unless there  
is created a duplication in numbering, reads as follows:

As used in the Vision Plan Contractual Requirements Act:

1        1. "Subscriber" means an individual who is enrolled in an  
2 individual or group vision plan as a principal subscriber, and  
3 dependents who are entitled to vision services under the vision  
4 service plan solely because of their status as dependents of the  
5 principal subscriber.

6        2. "Subscribership coverage" means any certificate or contract  
7 issued to a subscriber specifying the vision coverage to which the  
8 subscriber is entitled.

9        3. "Vision plan organization" means any person or entity who  
10 undertakes to conduct or operate one or more prepaid or  
11 reimbursement vision service plans; and

12        4. "Vision service plan" means a contractual arrangement  
13 whereby any vision plan organization undertakes to provide payment  
14 of vision exams, eyeglasses and/or contact lens services directly or  
15 to arrange for vision exams, eyeglasses and/or contact lens services  
16 or to pay or make reimbursement for same.

17        SECTION 3.        NEW LAW        A new section of law to be codified  
18 in the Oklahoma Statutes as Section 7404 of Title 23, unless there  
19 is created a duplication in numbering, reads as follows:

20        No contract between a vision plan organization or an insurer  
21 providing coverage for vision services and an optometrist entered  
22 into or renewed on or after the effective date of this act may  
23 require an optometrist to provide services to its patients or  
24 subscribers at a fee set by the vision plan organization or insurer

1 unless the services are covered vision services payable under the  
2 applicable vision service plan agreement.

3 SECTION 4. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 7405 of Title 36, unless there  
5 is created a duplication in numbering, reads as follows:

6 For agreements entered into or renewed on or after the effective  
7 date of this act, each and every vision service plan offered by a  
8 vision plan organization or insurer shall require an optometrist's  
9 written acquiescence and approval. No vision plan organization or  
10 insurer may utilize an optometrist provider's agreement to the  
11 contractual terms of one group agreement for vision services to  
12 constitute approval or acquiescence to another group agreement to  
13 provide vision services.

14 SECTION 5. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 7406 of Title 36, unless there  
16 is created a duplication in numbering, reads as follows:

17 For agreements entered into or renewed on or after the effective  
18 date of this act, no vision service plan shall change the terms,  
19 discounts or reimbursement amounts during the term of the  
20 optometrist provider's agreement without written consent to an  
21 amendment of the agreement by such provider.

22 SECTION 6. This act shall become effective November 1, 2017.  
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