

House Bill 3432

Sponsored by Representative CLEM

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits vision-only insurance policy from providing coverage for only those services provided by specified network of vision care providers.

A BILL FOR AN ACT

1
2 Relating to vision-only insurance; creating new provisions; and amending ORS 750.055.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of the Insurance Code.**

5 **SECTION 2. (1) As used in this section, "vision-only insurance" means a policy of insur-**
6 **ance that reimburses only the costs of vision care and does not reimburse the costs of other**
7 **types of health care.**

8 **(2) An insurer offering a policy of vision-only insurance in this state may not require a**
9 **beneficiary of the policy to use any specified network of vision care providers in order to**
10 **receive benefits under the policy.**

11 **SECTION 3. ORS 750.055, as amended by section 5, chapter 25, Oregon Laws 2014, and section**
12 **80, chapter 45, Oregon Laws 2014, is amended to read:**

13 750.055. (1) The following provisions of the Insurance Code apply to health care service con-
14 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

15 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,
16 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,
17 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,
18 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061.

19 (b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.592, not
20 including ORS 732.582.

21 (c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
22 to 733.780.

23 (d) ORS chapter 734.

24 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
25 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,
26 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550 to
27 743.552, 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to
28 743.839, 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864,
29 743.894, 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036,
30 743A.048, 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082,
31 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144,

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 743A.148, 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188,
 2 743A.190, 743A.192 and 743A.250 and section 2, chapter 771, Oregon Laws 2013, and section 2,
 3 chapter 25, Oregon Laws 2014, **and section 2 of this 2015 Act.**

4 (f) The provisions of ORS chapter 744 relating to the regulation of insurance producers.

5 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
 6 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

7 (h) ORS 743A.024, except in the case of group practice health maintenance organizations that
 8 are federally qualified pursuant to Title XIII of the Public Health Service Act unless the patient is
 9 referred by a physician, physician assistant or nurse practitioner associated with a group practice
 10 health maintenance organization.

11 (i) ORS 735.600 to 735.650.

12 (j) ORS 743.680 to 743.689.

13 (k) ORS 744.700 to 744.740.

14 (L) ORS 743.730 to 743.773.

15 (m) ORS 731.485, except in the case of a group practice health maintenance organization that
 16 is federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns
 17 and operates an in-house drug outlet.

18 (2) For the purposes of this section, health care service contractors shall be deemed insurers.

19 (3) Any for-profit health care service contractor organized under the laws of any other state that
 20 is not governed by the insurance laws of the other state is subject to all requirements of ORS
 21 chapter 732.

22 (4) The Director of the Department of Consumer and Business Services may, after notice and
 23 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
 24 and 750.045 that are deemed necessary for the proper administration of these provisions.

25 **SECTION 4.** ORS 750.055, as amended by section 33, chapter 698, Oregon Laws 2013, section
 26 6, chapter 25, Oregon Laws 2014, and section 81, chapter 45, Oregon Laws 2014, is amended to read:

27 750.055. (1) The following provisions of the Insurance Code apply to health care service con-
 28 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

29 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,
 30 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,
 31 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,
 32 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061.

33 (b) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.592, not
 34 including ORS 732.582.

35 (c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
 36 to 733.780.

37 (d) ORS chapter 734.

38 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
 39 742.540, 743.010, 743.013, 743.018 to 743.030, 743.050, 743.100 to 743.109, 743.402, 743.472, 743.492,
 40 743.495, 743.498, 743.499, 743.522, 743.523, 743.524, 743.526, 743.527, 743.528, 743.529, 743.550, 743.552,
 41 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to 743.839,
 42 743.845, 743.847, 743.854, 743.856, 743.857, 743.858, 743.859, 743.861, 743.862, 743.863, 743.864, 743.894,
 43 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036, 743A.048,
 44 743A.058, 743A.062, 743A.064, 743A.065, 743A.066, 743A.068, 743A.070, 743A.080, 743A.082, 743A.084,
 45 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148,

1 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188, 743A.190,
 2 743A.192 and 743A.250 and section 2, chapter 771, Oregon Laws 2013, and section 2, chapter 25,
 3 Oregon Laws 2014, **and section 2 of this 2015 Act.**

4 (f) The provisions of ORS chapter 744 relating to the regulation of insurance producers.

5 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
 6 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

7 (h) ORS 743A.024, except in the case of group practice health maintenance organizations that
 8 are federally qualified pursuant to Title XIII of the Public Health Service Act unless the patient is
 9 referred by a physician, physician assistant or nurse practitioner associated with a group practice
 10 health maintenance organization.

11 (i) ORS 743.680 to 743.689.

12 (j) ORS 744.700 to 744.740.

13 (k) ORS 743.730 to 743.773.

14 (L) ORS 731.485, except in the case of a group practice health maintenance organization that is
 15 federally qualified pursuant to Title XIII of the Public Health Service Act and that wholly owns and
 16 operates an in-house drug outlet.

17 (2) For the purposes of this section, health care service contractors shall be deemed insurers.

18 (3) Any for-profit health care service contractor organized under the laws of any other state that
 19 is not governed by the insurance laws of the other state is subject to all requirements of ORS
 20 chapter 732.

21 (4) The Director of the Department of Consumer and Business Services may, after notice and
 22 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
 23 and 750.045 that are deemed necessary for the proper administration of these provisions.

24 **SECTION 5.** ORS 750.055, as amended by section 33, chapter 698, Oregon Laws 2013, section
 25 21, chapter 771, Oregon Laws 2013, section 7, chapter 25, Oregon Laws 2014, and section 82, chapter
 26 45, Oregon Laws 2014, is amended to read:

27 750.055. (1) The following provisions of the Insurance Code apply to health care service con-
 28 tractors to the extent not inconsistent with the express provisions of ORS 750.005 to 750.095:

29 (a) ORS 705.137, 705.139, 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386,
 30 731.390, 731.398 to 731.430, 731.428, 731.450, 731.454, 731.488, 731.504, 731.508, 731.509, 731.510,
 31 731.511, 731.512, 731.574 to 731.620, 731.592, 731.594, 731.640 to 731.652, 731.730, 731.731, 731.735,
 32 731.737, 731.750, 731.752, 731.804, 731.844 to 731.992, 731.870 and 743.061.

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35 (c) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
 36 to 733.780.

37 (d) ORS chapter 734.

38 (e) ORS 742.001 to 742.009, 742.013, 742.061, 742.065, 742.150 to 742.162, 742.400, 742.520 to
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 41 743.560, 743.600 to 743.610, 743.650 to 743.656, 743.764, 743.804, 743.807, 743.808, 743.814 to 743.839,
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 43 743.911, 743.912, 743.913, 743.917, 743A.010, 743A.012, 743A.020, 743A.034, 743A.036, 743A.048,
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 45 743A.088, 743A.090, 743A.100, 743A.104, 743A.105, 743A.110, 743A.140, 743A.141, 743A.144, 743A.148,

1 743A.150, 743A.160, 743A.164, 743A.168, 743A.170, 743A.175, 743A.184, 743A.185, 743A.188, 743A.190,
2 743A.192 and 743A.250 and section 2, chapter 25, Oregon Laws 2014, **and section 2 of this 2015**
3 **Act.**

4 (f) The provisions of ORS chapter 744 relating to the regulation of insurance producers.

5 (g) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
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16 operates an in-house drug outlet.

17 (2) For the purposes of this section, health care service contractors shall be deemed insurers.

18 (3) Any for-profit health care service contractor organized under the laws of any other state that
19 is not governed by the insurance laws of the other state is subject to all requirements of ORS
20 chapter 732.

21 (4) The Director of the Department of Consumer and Business Services may, after notice and
22 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
23 and 750.045 that are deemed necessary for the proper administration of these provisions.

24 **SECTION 6. Section 2 of this 2015 Act and the amendments to ORS 750.055 by sections**
25 **3 to 5 of this 2015 Act apply to policies of insurance that are issued or renewed on or after**
26 **the effective date of this 2015 Act.**

27