

House Bill 3530

Sponsored by Representative HOYLE

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 specified terms imposed on vision care provider by vision care insurance or vision care discount card.

A BILL FOR AN ACT

1
2 Relating to vision care providers.

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:**

6 (a) **"Contractual discount" means a percentage reduction, required under a contract with**
7 **an insurer, in a vision care provider's usual and customary rate for vision care services and**
8 **materials.**

9 (b) **"Discount card" means a card or other purchasing mechanism or device that is not**
10 **insurance that purports to offer discounts or access to discounts in health-related purchases**
11 **from health care providers.**

12 (c) **"Materials" includes, but is not limited to:**

13 (A) **Lenses;**

14 (B) **Devices containing lenses;**

15 (C) **Contact lenses;**

16 (D) **Prisms;**

17 (E) **Lens treatments and contact lens coatings;**

18 (F) **Orthopedic or prosthetic devices to correct, relieve or treat defects or abnormal**
19 **conditions of the human eye or adnexa; and**

20 (G) **Vision training.**

21 (d) **"Vision care insurance" means a health benefit plan or a policy or certificate of in-**
22 **urance that covers vision care services and materials.**

23 (e) **"Vision care provider" includes:**

24 (A) **A person licensed to practice optometry under ORS chapter 683; and**

25 (B) **A physician licensed under ORS chapter 677 to practice medicine or osteopathy who**
26 **has completed a residency program in ophthalmology.**

27 (f) **"Vision care services" means services provided by a vision care provider within the**
28 **scope of the provider's license to practice optometry or ophthalmology.**

29 (2) **A contract between a vision care provider and an entity that offers vision care in-**
30 **urance or a vision care discount card may not:**

31 (a) **Limit or specify the fee that a vision care provider may charge for vision care ser-**

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 vices or materials that are not reimbursed, in whole or in part, by the vision care insurance
2 or discount card.

3 (b) Require a vision care provider to participate in one vision care insurance plan or
4 discount card program as a condition for participating in another insurance plan.

5 (c) Change the terms, the contractual discount or the reimbursement rates, under vision
6 care insurance or a vision care discount card, without a signed acknowledgment that the
7 vision care provider agrees to the changes.

8 (d) Directly or indirectly restrict or limit a vision care provider's choice of suppliers of
9 materials.

10 (3) This section does not prohibit the use of a discount card by a patient of a vision care
11 provider if:

12 (a) The enrollment of the vision care provider is:

13 (A) Completely voluntary; and

14 (B) Not conditioned upon the vision care provider's participation in any other discount
15 card program with different provider terms and conditions or in another insurance plan; and

16 (b) The discount card program does not reimburse the vision care provider for the cost
17 of the vision care services that were discounted.

18 SECTION 3. Section 2 of this 2015 Act applies to contracts between insurers, or entities
19 providing vision care discount cards, and vision care providers that are entered into or re-
20 newed on and after the effective date of this 2015 Act.

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