

B-Engrossed
House Bill 3530

Ordered by the Senate June 1
Including House Amendments dated April 23 and Senate Amendments
dated June 1

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.

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 or a discount medical plan, as defined in ORS 742.420, that purports to offer dis-**
11 **counts or access to discounts in health-related purchases 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 **surance 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.**

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

3 **(a) Limit or specify the fee that a vision care provider may charge for vision care ser-**
4 **vices or materials that are not reimbursed, in whole or in part, by the vision care insurance**
5 **or discount card.**

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

8 **(c) Change the terms, the contractual discount or the reimbursement rates, under vision**
9 **care insurance or a vision care discount card, without a signed acknowledgment that the**
10 **vision care provider agrees to the changes.**

11 **(d) Directly or indirectly restrict or limit a vision care provider's choice of suppliers of**
12 **materials.**

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

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

16 **(A) Completely voluntary; and**

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

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

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

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