

1 S.141

2 Introduced by Senator Mullin

3 Referred to Committee on

4 Date:

5 Subject: Health; health insurance; physicians; optometrists

6 Statement of purpose of bill as introduced: This bill proposes to require health
7 insurance plans to provide a choice of providers for vision care and medical
8 eye care services and to reimburse providers the same amount for the same
9 services when provided by either an optometrist or an ophthalmologist. It
10 requires health insurers to permit optometrists to participate in vision care and
11 medical eye care plans to the same extent as ophthalmologists and prohibits
12 insurers from placing certain requirements on an optometrist as a condition for
13 participation in a health insurance or vision plan.

14 An act relating to choice of providers for vision and eye care services

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 8 V.S.A. § 4088j is added to read:

17 § 4088j. CHOICE OF PROVIDERS FOR VISION CARE AND MEDICAL

18 EYE CARE SERVICES

19 (a) To the extent a health insurance plan provides coverage for vision care
20 or medical eye care services, it shall cover those services when provided by a

1 physician licensed pursuant to 26 V.S.A. chapter 23, an optometrist licensed
2 pursuant to 26 V.S.A. chapter 30, or an osteopathic physician licensed pursuant
3 to 26 V.S.A. chapter 33, provided the health care professional is acting within
4 his or her authorized scope of practice.

5 (b) A health insurance plan shall impose no greater co-payment,
6 coinsurance, or other cost-sharing amount for services when provided by an
7 optometrist than for the same service when provided by a physician or
8 osteopathic physician.

9 (c) A health insurance plan shall provide to a licensed health care
10 professional acting within his or her scope of practice the same level of
11 reimbursement or other compensation for providing vision care and medical
12 eye care services that are within the lawful scope of practice of the professions
13 of medicine, optometry, and osteopathy, regardless of whether the health care
14 professional is a physician, optometrist, or osteopathic physician.

15 (d)(1) A health insurer shall permit a licensed optometrist to participate in
16 plans or contracts providing for vision care or medical eye care to the same
17 extent as it does a licensed physician or osteopathic physician.

18 (2) A health insurer shall not require a licensed optometrist to provide
19 discounted materials benefits or to participate as a provider in another medical
20 or vision care plan or contract as a condition or requirement for the

1 optometrist's participation as a provider in any medical or vision care plan or
2 contract.

3 (3) A health insurer shall not require a licensed optometrist to provide
4 services or materials to its members at a fee set by the insurer unless the
5 insurer compensates the optometrist for providing such services or materials to
6 the patient.

7 (e) As used in this section:

8 (1) "Health insurance plan" means any health insurance policy or health
9 benefit plan offered by a health insurer or a subcontractor of a health insurer.
10 The term includes vision plans but does not include policies or plans providing
11 coverage for a specified disease or other limited benefit coverage.

12 (2) "Health insurer" shall have the same meaning as in 18 V.S.A.
13 § 9402.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2013.