

By: Munoz, Jr.

H.B. No. 2299

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain provisions applicable to an optometrist,
3 therapeutic optometrist, or ophthalmologist providing services
4 under a managed care plan.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 1451.153(a), Insurance Code, is amended
7 to read as follows:

8 (a) A managed care plan may not:

9 (1) discriminate against a health care practitioner
10 because the practitioner is an optometrist, therapeutic
11 optometrist, or ophthalmologist;

12 (2) restrict or discourage a plan participant from
13 obtaining covered vision or medical eye care services or procedures
14 from a participating optometrist, therapeutic optometrist, or
15 ophthalmologist solely because the practitioner is an optometrist,
16 therapeutic optometrist, or ophthalmologist;

17 (3) exclude an optometrist, therapeutic optometrist,
18 or ophthalmologist as a participating practitioner in the plan
19 because the optometrist, therapeutic optometrist, or
20 ophthalmologist does not have medical staff privileges at a
21 hospital or at a particular hospital;

22 (4) exclude an optometrist, therapeutic optometrist,
23 or ophthalmologist as a participating practitioner in the plan
24 because the services or procedures provided by the optometrist,

1 therapeutic optometrist, or ophthalmologist may be provided by
2 another type of health care practitioner; [~~or~~]

3 (5) as a condition for a therapeutic optometrist or
4 ophthalmologist to be included in one or more of the plan's medical
5 panels, require the therapeutic optometrist or ophthalmologist to
6 be included in, or to accept the terms of payment under or for, a
7 particular vision panel in which the therapeutic optometrist or
8 ophthalmologist does not otherwise wish to be included;

9 (6) use different contractual terms and conditions or
10 administrative procedures for an optometrist, therapeutic
11 optometrist, or ophthalmologist solely because the practitioner is
12 an optometrist, therapeutic optometrist, or ophthalmologist;

13 (7) use, within a geographic area, different
14 contractual fee schedules or reimbursement amounts for an
15 optometrist, therapeutic optometrist, or ophthalmologist solely
16 because the practitioner is an optometrist, therapeutic
17 optometrist, or ophthalmologist; or

18 (8) use different claim adjudication methodologies or
19 procedures for an optometrist, therapeutic optometrist, or
20 ophthalmologist solely because the practitioner is an optometrist,
21 therapeutic optometrist, or ophthalmologist.

22 SECTION 2. The change in law made by this Act applies only
23 to a contract entered into or renewed on or after January 1, 2014. A
24 contract that is entered into before January 1, 2014, is governed by
25 the law in effect as it existed immediately before the effective
26 date of this Act, and that law is continued in effect for that
27 purpose.

1 SECTION 3. This Act takes effect September 1, 2013.