

A BILL TO BE ENTITLED

1 AN ACT

2 relating to contracts between optometrists or therapeutic
3 optometrists and health maintenance organizations or insurers.

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

5 SECTION 1. Subchapter D, Chapter 1451, Insurance Code, is
6 amended by adding Section 1451.155 to read as follows:

7 Sec. 1451.155. CONTRACTS WITH OPTOMETRISTS OR THERAPEUTIC
8 OPTOMETRISTS. (a) In this section:

9 (1) "Covered product or service" means a vision care
10 product or service for which reimbursement is available under an
11 enrollee's managed care plan contract or for which reimbursement is
12 available subject to a contractual limitation, including:

- 13 (A) a deductible;
- 14 (B) a copayment;
- 15 (C) coinsurance;
- 16 (D) a waiting period;
- 17 (E) an annual or lifetime maximum limit;
- 18 (F) a frequency limitation; or
- 19 (G) an alternative benefit payment.

20 (2) "Vision care product or service" means a product
21 or service provided within the scope of the practice of optometry or
22 therapeutic optometry under Chapter 351, Occupations Code.

23 (b) A contract between an insurer and an optometrist or
24 therapeutic optometrist may not limit the fee the optometrist or

1 therapeutic optometrist may charge for a product or service that is
2 not a covered product or service.

3 (c) A contract between an insurer and an optometrist or
4 therapeutic optometrist may not require a discount on a product or
5 service that is not a covered product or service.

6 SECTION 2. The change in law made by this Act applies only
7 to a contract entered into or renewed on or after January 1, 2014. A
8 contract entered into or renewed before January 1, 2014, is
9 governed by the law in effect immediately before the effective date
10 of this Act, and that law is continued in effect for that purpose.

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