

1-1 By: Carona S.B. No. 632
 1-2 (In the Senate - Filed February 18, 2013; February 25, 2013,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 4, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 4, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 632 By: Nichols

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to contracts between optometrists or therapeutic
 1-22 optometrists and health maintenance organizations or insurers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter D, Chapter 1451, Insurance Code, is
 1-25 amended by adding Section 1451.155 to read as follows:

1-26 Sec. 1451.155. CONTRACTS WITH OPTOMETRISTS OR THERAPEUTIC
 1-27 OPTOMETRISTS. (a) In this section:

1-28 (1) "Covered product or service" means a vision care
 1-29 product or service for which reimbursement is available under an
 1-30 enrollee's managed care plan contract or for which reimbursement is
 1-31 available subject to a contractual limitation, including:

- 1-32 (A) a deductible;
- 1-33 (B) a copayment;
- 1-34 (C) coinsurance;
- 1-35 (D) a waiting period;
- 1-36 (E) an annual or lifetime maximum limit;
- 1-37 (F) a frequency limitation; or
- 1-38 (G) an alternative benefit payment.

1-39 (2) "Vision care product or service" means a product
 1-40 or service provided within the scope of the practice of optometry or
 1-41 therapeutic optometry under Chapter 351, Occupations Code.

1-42 (b) A contract between an insurer and an optometrist or
 1-43 therapeutic optometrist may not limit the fee the optometrist or
 1-44 therapeutic optometrist may charge for a product or service that is
 1-45 not a covered product or service.

1-46 (c) A contract between an insurer and an optometrist or
 1-47 therapeutic optometrist may not require a discount on a product or
 1-48 service that is not a covered product or service.

1-49 SECTION 2. The change in law made by this Act applies only
 1-50 to a contract entered into or renewed on or after January 1, 2014. A
 1-51 contract entered into or renewed before January 1, 2014, is
 1-52 governed by the law in effect immediately before the effective date
 1-53 of this Act, and that law is continued in effect for that purpose.

1-54 SECTION 3. This Act takes effect September 1, 2013.

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