

AN ACT

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

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

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

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

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

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

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

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

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

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

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 632 passed the Senate on April 10, 2013, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 632 passed the House on May 20, 2013, by the following vote: Yeas 137, Nays 2, three present not voting.

Chief Clerk of the House

Approved:

Date

Governor