

Vision Care Services Act; SB 285

SB 285 creates the Vision Care Services Act, an act to prohibit certain limitations in contracts between insurers and vision care providers.

More specifically, the bill applies to contracts between an insurer, health insurer, or another entity writing vision care insurance or a vision care discount plan and a vision care provider. Contracts issued or renewed on or after the effective date of the Act could not contain any provision that would require a vision care provider to:

- Provide services or materials to an insured under vision care insurance or a health benefit plan, or to a subscriber of a vision care discount plan at a fee limited or set by the plan unless the services or materials are reimbursed as covered services under the contract; or
- Participate in a vision care insurance or vision care discount plan as a condition to participate in any other health benefit plan or vision care plan, regardless of whether such plan is a plan of insurance or a vision care discount program which is not an insurance plan.

The bill further provides that no vision care provider could charge more for services or materials that are not covered services under either vision care insurance or a vision care discount plan than such provider's usual and customary rate for those services and materials. Any entity offering vision care insurance policies and discount plan contracts is prohibited from changing the terms, discounts or rates without the agreement at the time of the change by the vision care provider. Additionally, no vision care insurance policy or vision care discount plan that provides covered services for materials will be allowed to limit the choice of sources and suppliers of materials by a patient of a vision care provider.

Discount Card

The provisions created by the bill do not prohibit the use of a discount card by a patient or client of a vision provider if enrollment by the vision care provider is completely voluntary and not conditioned upon the provider's participation in any other discount card with different provider terms and conditions or insurance program. The bill also does not prohibit use of such a card if the discount card program does not make or include coverage or payment to the provider.

Definitions

Among the definitions established by the Act, the term "discount card" is assigned its meaning from the Kansas Discount Card Act: a card or other purchase mechanism which is not insurance and purports to offer discounts or access to discounts in health-related purchases from health care providers. "Vision care insurance" means an integrated health benefit plan or vision care insurance policy or contract which provides vision benefits pertaining to the provision of covered services or materials. "Vision care discount plan" means any entity governed by the

Kansas Discount Card Act that has been specifically authorized by the vision care providers to provide discounts to patients.

The bill takes effect upon publication in the *Kansas Register*.