

27 | 627.6474 Provider contracts.—

28 | (3) (a) A contract between a health insurer or the
 29 | insurer's third party administrator and:

30 | 1. An ophthalmologist licensed pursuant to chapter 458 or
 31 | chapter 459 or an optometrist licensed pursuant to chapter 463
 32 | may not require the licensee to:

33 | a. Provide vision care services as a condition of
 34 | participating as a provider of any other type of service to an
 35 | insured; or

36 | b. Purchase a material or service used by the licensee
 37 | from an entity in which the insurer or the insurer's third-party
 38 | administrator has a direct or indirect ownership, financial, or
 39 | controlling interest.

40 | 2. An optician licensed pursuant to part I of chapter 484
 41 | may not require the licensee to purchase a material used by the
 42 | licensee from an entity in which the insurer or the insurer's
 43 | administrator has a direct or indirect ownership, financial, or
 44 | controlling interest.

45 | (b) A violation of this subsection constitutes:

46 | 1. An unfair insurance trade practice under s.
 47 | 626.9541(1) (d) .

48 | 2. An unfair or deceptive act or practice under the
 49 | Florida Deceptive and Unfair Trade Practices Act. A violator may
 50 | be subject to civil and administrative action by an enforcing
 51 | authority under part II of chapter 501.

52 | (c) This subsection applies to all contracts entered into

53 or renewed on or after July 1, 2015.

54 Section 2. Subsection (14) is added to section 636.035,
55 Florida Statutes, to read:

56 636.035 Provider arrangements.—

57 (14) (a) A contract between a prepaid limited health
58 service organization or the organization's third party
59 administrator and:

60 1. An ophthalmologist licensed pursuant to chapter 458 or
61 chapter 459 or an optometrist licensed pursuant to chapter 463
62 may not require the licensee to:

63 a. Provide vision care services as a condition of
64 participating as a provider of any other type of service to a
65 subscriber; or

66 b. Purchase a material or service used by the licensee
67 from an entity in which the organization or the organization's
68 third-party administrator has a direct or indirect ownership,
69 financial, or controlling interest.

70 2. An optician licensed pursuant to part I of chapter 484
71 may not require the licensee to purchase a material used by the
72 licensee from an entity in which the organization or the
73 organization's administrator has a direct or indirect ownership,
74 financial, or controlling interest.

75 (b) A violation of this subsection constitutes:

76 1. An unfair insurance trade practice under s.
77 626.9541 (1) (d) .

78 2. An unfair or deceptive act or practice under the

79 Florida Deceptive and Unfair Trade Practices Act. A violator may
80 be subject to civil and administrative action by an enforcing
81 authority under part II of chapter 501.

82 (c) This subsection applies to all contracts entered into
83 or renewed on or after July 1, 2015.

84 Section 3. Subsection (12) is added to section 641.315,
85 Florida Statutes, to read:

86 641.315 Provider contracts.—

87 (12) (a) A contract between a health maintenance
88 organization or the organization's third party administrator
89 and:

90 1. An ophthalmologist licensed pursuant to chapter 458 or
91 chapter 459 or an optometrist licensed pursuant to chapter 463
92 may not require the licensee to:

93 a. Provide vision care services as a condition of
94 participating as a provider of any other type of service to a
95 subscriber; or

96 b. Purchase a material or service used by the licensee
97 from an entity in which the organization or the organization's
98 third-party administrator has a direct or indirect ownership,
99 financial, or controlling interest.

100 2. An optician licensed pursuant to part I of chapter 484
101 may not require the licensee to purchase a material used by the
102 licensee from an entity in which the organization or the
103 organization's administrator has a direct or indirect ownership,
104 financial, or controlling interest.

105 (b) A violation of this subsection constitutes:
 106 1. An unfair insurance trade practice under s.
 107 626.9541(1)(d).
 108 2. An unfair or deceptive act or practice under the
 109 Florida Deceptive and Unfair Trade Practices Act. A violator may
 110 be subject to civil and administrative action by an enforcing
 111 authority under part II of chapter 501.
 112 (c) This subsection applies to all contracts entered into
 113 or renewed on or after July 1, 2015.
 114 Section 4. This act shall take effect July 1, 2015.