



490478

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2015	.	
	.	
	.	
	.	

---

The Committee on Rules (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (3) is added to section 627.6474,  
Florida Statutes, to read:

627.6474 Provider contracts.—

(3) (a) A health insurer may not require an ophthalmologist  
licensed pursuant to chapter 458 or chapter 459 or an  
optometrist licensed pursuant to chapter 463 to join a network  
solely for the purpose of credentialing the licensee for another



12 insurer's vision network. This paragraph does not prevent a  
13 health insurer from entering into a contract with another  
14 insurer's vision care plan to use the vision network.

15 (b) A health insurer may not restrict or limit an  
16 ophthalmologist licensed pursuant to chapter 458 or chapter 459,  
17 an optometrist licensed pursuant to chapter 463, or an optician  
18 licensed pursuant to part I of chapter 484 to specific suppliers  
19 of materials or optical laboratories. This paragraph does not  
20 restrict or limit a health insurer in determining specific  
21 amounts of coverage or reimbursement for the use of network or  
22 out-of-network suppliers or laboratories.

23 (c) A health insurer's online vision care network provider  
24 directory must be updated monthly to reflect the vision care  
25 providers currently participating in the health insurer's  
26 network.

27 (d) A knowing violation of paragraph (a) or paragraph (b)  
28 constitutes an unfair insurance trade practice under  
29 s.626.9541(1)(d).

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

32 636.035 Provider arrangements.—

33 (14) (a) A prepaid limited health service organization may  
34 not require an ophthalmologist licensed pursuant to chapter 458  
35 or chapter 459 or an optometrist licensed pursuant to chapter  
36 463 to join a network solely for the purpose of credentialing  
37 the licensee for another organization's vision network. This  
38 paragraph does not prevent such organization from entering into  
39 a contract with another organization's vision care plan to use  
40 the vision network.



490478

41 (b) A prepaid limited health service organization may not  
42 restrict or limit an ophthalmologist licensed pursuant to  
43 chapter 458 or chapter 459, an optometrist licensed pursuant to  
44 chapter 463, or an optician licensed pursuant to part I of  
45 chapter 484 to specific suppliers of materials or optical  
46 laboratories. This paragraph does not restrict or limit such  
47 organization in determining specific amounts of coverage or  
48 reimbursement for the use of network or out-of-network suppliers  
49 or laboratories.

50 (c) A prepaid limited health service organization's online  
51 vision care network provider directory must be updated monthly  
52 to reflect the vision care providers currently participating in  
53 the organization's network.

54 (d) A knowing violation of paragraph (a) or paragraph (b)  
55 constitutes an unfair insurance trade practice under s.  
56 626.9541(1)(d).

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

59 641.315 Provider contracts.—

60 (12) (a) A health maintenance organization may not require  
61 an ophthalmologist licensed pursuant to chapter 458 or chapter  
62 459 or an optometrist licensed pursuant to chapter 463 to join a  
63 network solely for the purpose of credentialing the licensee for  
64 another organization's vision network. This paragraph does not  
65 prevent such organization from entering into a contract with  
66 another organization's vision care plan to use the vision  
67 network.

68 (b) A health maintenance organization may not restrict or  
69 limit an ophthalmologist licensed pursuant to chapter 458 or



490478

70 chapter 459, an optometrist licensed pursuant to chapter 463, or  
71 an optician licensed pursuant to part I of chapter 484 to  
72 specific suppliers of materials or optical laboratories. This  
73 paragraph does not restrict or limit such organization in  
74 determining specific amounts of coverage or reimbursement for  
75 the use of network or out-of-network suppliers or laboratories.

76 (c) A health maintenance organization's online vision care  
77 network provider directory must be updated monthly to reflect  
78 the vision care providers currently participating in the  
79 organization's network.

80 (d) A knowing violation of paragraph (a) or paragraph (b)  
81 constitutes an unfair insurance trade practice under s.  
82 626.9541(1)(d).

83 Section 4. This act shall take effect on January 1, 2016.

84

85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Delete everything before the enacting clause  
88 and insert:

89 A bill to be entitled  
90 An act relating to vision care plans; amending ss.  
91 627.6474, 636.035, and 641.315, F.S.; providing that a  
92 health insurer, a prepaid limited health service  
93 organization, and a health maintenance organization,  
94 respectively, may not require a licensed  
95 ophthalmologist or optometrist to join a network  
96 solely for the purpose of credentialing the licensee  
97 for another vision network; providing that such  
98 insurers and organizations are not prevented by the



490478

99 act from entering into a contract with another vision  
100 care plan; providing that such insurers or  
101 organizations may not restrict or limit a licensed  
102 ophthalmologist, optometrist, or optician to specific  
103 suppliers of materials or optical laboratories;  
104 providing that such insurers and organizations are not  
105 restricted or limited by the act in determining  
106 certain amounts of coverage or reimbursement;  
107 requiring such insurers' and organizations' online  
108 vision care network provider directories to be updated  
109 monthly; providing that a violation of certain  
110 prohibitions in the act constitutes a specified unfair  
111 insurance trade practice; providing an effective date.