

By the Committees on Rules; and Banking and Insurance; and
Senator Latvala

595-03409A-15

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1 A bill to be entitled
2 An act relating to vision care plans; amending ss.
3 627.6474, 636.035, and 641.315, F.S.; providing that a
4 health insurer, a prepaid limited health service
5 organization, and a health maintenance organization,
6 respectively, may not require a licensed
7 ophthalmologist or optometrist to join a network
8 solely for the purpose of credentialing the licensee
9 for another vision network; providing that such
10 insurers and organizations are not prevented by the
11 act from entering into a contract with another vision
12 care plan; providing that such insurers and
13 organizations may not restrict or limit a licensed
14 ophthalmologist, optometrist, or optician to specific
15 suppliers of materials or optical laboratories;
16 providing that such insurers and organizations are not
17 restricted or limited by the act in determining
18 certain amounts of coverage or reimbursement;
19 requiring such insurers' and organizations' online
20 vision care network provider directories to be updated
21 monthly; providing that a violation of certain
22 prohibitions in the act constitutes a specified unfair
23 insurance trade practice; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Subsection (3) is added to section 627.6474,
28 Florida Statutes, to read:
29 627.6474 Provider contracts.—

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30 (3) (a) A health insurer may not require an ophthalmologist
31 licensed pursuant to chapter 458 or chapter 459 or an
32 optometrist licensed pursuant to chapter 463 to join a network
33 solely for the purpose of credentialing the licensee for another
34 insurer's vision network. This paragraph does not prevent a
35 health insurer from entering into a contract with another
36 insurer's vision care plan to use the vision network.

37 (b) A health insurer may not restrict or limit an
38 ophthalmologist licensed pursuant to chapter 458 or chapter 459,
39 an optometrist licensed pursuant to chapter 463, or an optician
40 licensed pursuant to part I of chapter 484 to specific suppliers
41 of materials or optical laboratories. This paragraph does not
42 restrict or limit a health insurer in determining specific
43 amounts of coverage or reimbursement for the use of network or
44 out-of-network suppliers or laboratories.

45 (c) A health insurer's online vision care network provider
46 directory must be updated monthly to reflect the vision care
47 providers currently participating in the health insurer's
48 network.

49 (d) A knowing violation of paragraph (a) or paragraph (b)
50 constitutes an unfair insurance trade practice under
51 s.626.9541(1) (d).

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

54 636.035 Provider arrangements.—

55 (14) (a) A prepaid limited health service organization may
56 not require an ophthalmologist licensed pursuant to chapter 458
57 or chapter 459 or an optometrist licensed pursuant to chapter
58 463 to join a network solely for the purpose of credentialing

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59 the licensee for another organization's vision network. This
60 paragraph does not prevent such organization from entering into
61 a contract with another organization's vision care plan to use
62 the vision network.

63 (b) A prepaid limited health service organization may not
64 restrict or limit an ophthalmologist licensed pursuant to
65 chapter 458 or chapter 459, an optometrist licensed pursuant to
66 chapter 463, or an optician licensed pursuant to part I of
67 chapter 484 to specific suppliers of materials or optical
68 laboratories. This paragraph does not restrict or limit such
69 organization in determining specific amounts of coverage or
70 reimbursement for the use of network or out-of-network suppliers
71 or laboratories.

72 (c) A prepaid limited health service organization's online
73 vision care network provider directory must be updated monthly
74 to reflect the vision care providers currently participating in
75 the organization's network.

76 (d) A knowing violation of paragraph (a) or paragraph (b)
77 constitutes an unfair insurance trade practice under s.
78 626.9541(1) (d).

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

81 641.315 Provider contracts.—

82 (12) (a) A health maintenance organization may not require
83 an ophthalmologist licensed pursuant to chapter 458 or chapter
84 459 or an optometrist licensed pursuant to chapter 463 to join a
85 network solely for the purpose of credentialing the licensee for
86 another organization's vision network. This paragraph does not
87 prevent such organization from entering into a contract with

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88 another organization's vision care plan to use the vision
89 network.

90 (b) A health maintenance organization may not restrict or
91 limit an ophthalmologist licensed pursuant to chapter 458 or
92 chapter 459, an optometrist licensed pursuant to chapter 463, or
93 an optician licensed pursuant to part I of chapter 484 to
94 specific suppliers of materials or optical laboratories. This
95 paragraph does not restrict or limit such organization in
96 determining specific amounts of coverage or reimbursement for
97 the use of network or out-of-network suppliers or laboratories.

98 (c) A health maintenance organization's online vision care
99 network provider directory must be updated monthly to reflect
100 the vision care providers currently participating in the
101 organization's network.

102 (d) A knowing violation of paragraph (a) or paragraph (b)
103 constitutes an unfair insurance trade practice under s.
104 626.9541(1)(d).

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