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1
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 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 by the act in determining certain amounts
18 of coverage or reimbursement; requiring such insurers'
19 and organizations' online vision care network provider
20 directories to be updated monthly; providing that a
21 violation of certain prohibitions in the act
22 constitutes a specified unfair insurance trade
23 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 an ophthalmologist
38 licensed pursuant to chapter 458 or chapter 459, an optometrist
39 licensed pursuant to chapter 463, or an optician licensed
40 pursuant to part I of chapter 484 to specific suppliers of
41 materials or optical laboratories. This paragraph does not
42 restrict a health insurer in determining specific amounts of
43 coverage or reimbursement for the use of network or out-of-
44 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 s.
51 626.9541(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 an ophthalmologist licensed pursuant to chapter 458 or
65 chapter 459, an optometrist licensed pursuant to chapter 463, or
66 an optician licensed pursuant to part I of chapter 484 to
67 specific suppliers of materials or optical laboratories. This
68 paragraph does not restrict such organization in determining
69 specific amounts of coverage or reimbursement for the use of
70 network or out-of-network suppliers or laboratories.

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

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

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

80 641.315 Provider contracts.—

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

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88 network.

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

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

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

104 Section 4. This act shall take effect July 1, 2016.