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Date: (Filing No. S-)

INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 310, L.D. 865, Bill, “An Act To Protect Vision Care Patients and Providers”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 24-A MRS §4314, sub-§1, ¶¶C to I are enacted to read:

C. "Contractual discount" means a percentage or other reduction from a provider's usual and customary rate for a covered service or covered material required under a participating provider agreement.

D. "Covered material" means a material for which benefits are provided under a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan.

E. "Covered service" means a service for which benefits are provided under a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan.

F. "Limited benefit vision insurance plan" means a plan offered or administered by a carrier that covers only vision care or any other plan offered or administered by a carrier that includes vision care benefits and is not a health plan.

G. "Materials" means ophthalmic devices, including, but not limited to, lenses, devices containing lenses, artificial intraocular lenses, ophthalmic frames and other lens mounting apparatuses, prisms, lens treatments and coating, contact lenses and prosthetic devices to correct, relieve or treat defects or abnormal conditions of the human eye or its adnexa.

H. "Services" means the professional work performed by an eye care provider.

I. "Vision insurance" means a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan.

COMMITTEE AMENDMENT

1 1. Requiring that the eye care provider provide services or materials to an enrollee in
2 a health plan that provides coverage for vision care or eye care services or a limited
3 benefit vision insurance plan at a specified or limited fee unless the services or materials
4 are a covered service or a covered material under the health plan or limited benefit vision
5 insurance plan;

6 2. Restricting or limiting the eye care provider's choice of sources and suppliers of
7 services or materials provided by the eye care provider to an enrollee or the optical
8 laboratories used by the eye care provider;

9 3. Changing any term, contractual discount or reimbursement rate without notice to
10 the eye care provider at least 60 days before the change is implemented;

11 4. Requiring that the eye care provider participate in other vision insurance as a
12 condition of joining an insurer's provider network for a health plan that provides coverage
13 for vision care or eye care services or a limited benefit vision insurance plan; or

14 5. Entering into any agreement that is longer than 2 years.

15 The amendment stipulates that the provisions apply to contracts between an eye care
16 provider and a carrier or a subsidiary or subcontractor of a carrier executed or renewed on
17 or after January 1, 2016.