CHAPTER 755  
S.B. No. 632

AN ACT
relating to contracts between optometrists or therapeutic optometrists and health maintenance organizations or insurers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 1451, Insurance Code, is amended by adding Section 1451.155 to read as follows:

Sec. 1451.155. CONTRACTS WITH OPTOMETRISTS OR THERAPEUTIC OPTOMETRISTS. (a) In this section:

(1) "Covered product or service" means a vision care product or service for which reimbursement is available under an enrollee's managed care plan contract or for which reimbursement is available subject to a contractual limitation, including:

(A) a deductible;
(B) a copayment;
(C) coinsurance;
(D) a waiting period;
(E) an annual or lifetime maximum limit;
(F) a frequency limitation; or
(G) an alternative benefit payment.

(2) "Vision care product or service" means a product or service provided within the scope of the practice of optometry or therapeutic optometry under Chapter 351, Occupations Code.

(b) A contract between an insurer and an optometrist or therapeutic optometrist may not limit the fee the optometrist or
therapeutic optometrist may charge for a product or service that is
not a covered product or service.

(c) A contract between an insurer and an optometrist or
therapeutic optometrist may not require a discount on a product or
service that is not a covered product or service.

SECTION 2. The change in law made by this Act applies only
to a contract entered into or renewed on or after January 1, 2014. A
contract entered into or renewed before January 1, 2014, is
governed by the law in effect immediately before the effective date
of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.
Approved:

14 June '13

Rick Perry
Governor