

Enrolled Senate Bill 20

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Joint Interim Committee on Human Services for Oregon Optometric Physicians Association)

CHAPTER

AN ACT

Relating to eye care services; creating new provisions; and amending ORS 743.703 and 750.065.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS chapter 746.

SECTION 2. (1) As used in this section:

(a) "Health care service contractor" has the meaning given that term in ORS 750.005.

(b) "Independent practice association" has the meaning given that term in ORS 743.801.

(2) An insurer or a health care service contractor that has a contract with an independent practice association to provide eye care services may not limit coverage of eye care services only to services provided by a physician if the eye care services are covered services and are within the lawful scope of practice of a licensed optometrist.

SECTION 3. ORS 750.065 is amended to read:

750.065. [(1)] Notwithstanding any provision of contract or agreement entered into by a corporation, association, society, firm, partnership or individual doing business as a hospital association or as a health care service contractor, whenever [such] **the** contract or agreement provides for **payment or reimbursement** for [any service which] **a service that** is within the lawful scope of practice of a [duly] licensed optometrist, [the insured under such contract or agreement shall be entitled to reimbursement for such] **the hospital association or health care service contractor shall provide payment or reimbursement for the** service, whether the [said] service is performed by a physician or a [duly] licensed optometrist. Unless [such] **the** contract or agreement [shall otherwise provide] **provides otherwise**, there shall be no reimbursement for ophthalmic materials, lenses, spectacles, eyeglasses or appurtenances thereto.

[(2) Nothing in subsection (1) of this section shall apply to any contract or agreement limited to the furnishing of services to be performed exclusively by members of the association, society, group or partnership issuing such contract or agreement.]

SECTION 4. ORS 743.703 is amended to read:

743.703. [(1)] Notwithstanding any provision of any policy of health insurance, whenever [such] **the** policy provides for **payment or reimbursement** for [any service which] **a service that** is within the lawful scope of practice of a [duly] licensed optometrist, [the insured under such policy shall be entitled to reimbursement for such] **the insurer shall provide payment or reimbursement for the** service, whether [such] **the** service is performed by a physician or [duly] **a** licensed optometrist.

Unless [such policy shall otherwise provide] **the policy provides otherwise**, there shall be no reimbursement for ophthalmic materials, lenses, spectacles, eyeglasses or appurtenances thereto.

[*(2) The provisions of this section shall not apply to any policy in effect upon September 13, 1967.*]

Passed by Senate February 17, 2005

Repassed by Senate June 21, 2005

.....
Secretary of Senate

.....
President of Senate

Passed by House June 15, 2005

.....
Speaker of House

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2005

.....
Secretary of State