STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 1160 By: Helton

COMMITTEE SUBSTITUTE

[insurance - amending Section 1, Chapter 501, O.S.L. 2002, as amended by Section 1, Chapter 113, O.S.L. 2003 (74 O.S. Supp. 2003, Section 1374) - vision plans - effective date -

emergency]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 501, O.S.L. 2002, as amended by Section 1, Chapter 113, O.S.L. 2003 (74 O.S. Supp. 2003, Section 1374), is amended to read as follows:

Section 1374. For the plan year beginning January 1, ~~2004~~ 2005, and for each year thereafter, it shall be the fiduciary responsibility of the Oklahoma State Employees Benefits Council and the State and Education Employees Group Insurance Board to ensure that participants have the option to choose which vision plan best meets their individual needs by offering every vision plan that notifies the Employees Benefits Council and the State and Education Employees Group Insurance Board of their desire to participate no later than July 1 of each year and meets or exceeds the following criteria:

1. Has in place a statewide network of at least ~~one hundred (100)~~ one hundred fifty (150) providers. "Providers", for purposes of this section, means Optometrists (OD), Ophthalmologists (MD), and Ophthalmologists (DO) which shall be counted once regardless of the number of locations where they may practice. Optical shops and retail optical locations shall not be listed as providers. The

company offering the vision plan must have a direct relationship with each provider on its panel, and may not lease, borrow, or otherwise obtain use of a provider panel from another company. This would not prevent a company from offering their plan through one corporate entity and administering the plan or provider panel through another legal entity of the same organization. Providers must be actively engaged in providing the services offered under the vision plan they represent;

2. Has operated in Oklahoma for at least five (5) years;

3. Is licensed by the Insurance Department, certified by the State Department of Health, or licensed as a third-party administrator by the Insurance Department. Vision plans must be offered by the company administering the plan, not by an agent or third party;

4. Presents accurate product information in a reproducible format not to exceed two pages; ~~and~~

5. Requires anyone electing a vision plan to submit an annual election form thereby prohibiting default enrollment; and

6. Vision plans must provide an examination, frames and lenses, and/or contact lenses and some form of indemnified payment to the contracted providers for each component of the benefits, i.e., the exam, frames and lenses and/or contact lenses. This does not eliminate discounted supplementary benefits under a qualified plan.

Any administrative fees imposed by the Oklahoma State Employees Benefits Council or the State and Education Employees Group Insurance Board shall be applied equally to all qualified vision plans. There shall be no additional requirements imposed on a vision plan other than the proper licensing or certification by the appropriate state agency.

SECTION 2. This act shall become effective July 1, 2004.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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