

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 477\*

Short Title: No Set Fee/Noncovered Vision Services. (Public)

Sponsors: Senators Meredith, Newton, Walters (Primary Sponsors); and Clark.

Referred to: Insurance.

March 28, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING  
3 OR FIXING THE FEE AN OPHTHALMOLOGIST OR OPTOMETRIST MAY CHARGE  
4 PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR  
5 MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR  
6 INSURER CONTRACT WITH THE OPHTHALMOLOGIST OR OPTOMETRIST.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Part 7 of Article 50 of Chapter 58 of the General Statutes is amended  
9 by adding a new section to read as follows:

10 "**§ 58-50-295. Health benefit plans or insurers contracting for provision of vision services**  
11 **or materials; no limitation on fees for noncovered services or materials.**

12 (a) No agreement between an insurer or an entity that writes vision insurance and an  
13 optometrist or ophthalmologist for the provision of vision services on a preferred or in-network  
14 basis to plan members or insurance subscribers in connection with coverage under a  
15 stand-alone vision plan, a medical plan, or health insurance policy may require that an  
16 optometrist or ophthalmologist provide services or materials at a fee limited or set by the plan  
17 or insurer unless the services or materials are reimbursed as covered services under the  
18 contract.

19 (b) For purposes of this section, "covered services" means a service for which  
20 reimbursement is available under an insurer's policy without regard to contractual limitations  
21 by a deductible, copayment, coinsurance, waiting period, annual or lifetime maximum,  
22 frequency limitation, alternative benefit payment, or other limitation. For purposes of this  
23 section, "materials" includes lenses, devices containing lenses, prisms, lens treatments and  
24 coatings, contact lenses, orthoptics, vision training, and prosthetic devices to correct, relieve, or  
25 treat defects or abnormal conditions of the human eye or its adnexa."

26 **SECTION 2.** This act becomes effective October 1, 2013, and applies to contracts  
27 entered into, amended, or renewed on or after that date.

