

## AMENDMENTS TO SENATE BILL NO. 257

Sponsor: SENATOR WARD

Printer's No. 1596

1 Amend Bill, page 2, line 5, by inserting after "vision"  
2 care

3 Amend Bill, page 3, lines 10 and 11, by striking out "FOR  
4 PURPOSES OF THIS ARTICLE, THE TERM INCLUDES VISION ONLY  
5 INSURANCE COVERAGE."

6 Amend Bill, page 3, line 21, by striking out "AN"

7 Amend Bill, page 3, line 23, by striking out ", INCLUDING  
8 VISION COVERAGE,"

9 Amend Bill, page 4, lines 13 and 14, by striking out  
10 "artificial intraocular lenses,"

11 Amend Bill, page 4, lines 23 through 30, by striking out all  
12 of said lines

13 Amend Bill, page 6, by inserting between lines 28 and 29

14 "Vision care." A provision of eye care services, materials  
15 or both.

16 "Vision care provider." A licensed doctor of optometry  
17 practicing under the authority of the act of June 6, 1980  
18 (P.L.197, No.57), known as the Optometric Practice and Licensure  
19 Act, or a licensed physician who has also completed a residency  
20 in ophthalmology.

21 Amend Bill, page 6, lines 29 and 30, by striking out ", OTHER  
22 THAN A VISION CARE PROVIDER,"

23 Amend Bill, page 7, line 1, by inserting after "CARE"  
24 supplies

Amend Bill, page 7, line 4, by inserting after "SUPPLIER"  
selection

Amend Bill, page 7, lines 21 through 26, by striking out all  
of said lines and inserting

A health insurance policy that has a discount program for  
noncovered services shall permit an insured who receives vision  
care from an in-network vision care provider to receive a  
noncovered service from the in-network vision care provider at a  
nondiscounted rate, provided that the vision care provider gives  
to the insured, prior to receipt of the noncovered service,  
written disclosure that the vision care provider does not  
participate in the insured's discount program.

Amend Bill, page 8, lines 2 through 27, by striking out all  
of said lines and inserting

(b) Insurance Commissioner power.--Upon satisfactory  
evidence of a violation of this article by any insurer or other  
person within the scope of the department's investigative and  
enforcement authority under subsection (a), the Insurance  
Commissioner may, in the Insurance Commissioner's discretion,  
pursue any of the following actions:

(1) Suspend, revoke or refuse to renew the license of  
the offending person.

(2) Enter a cease and desist order.

(3) Impose a civil penalty of not more than \$5,000 for  
each action in violation of this article.

(4) Impose a civil penalty of not more than \$10,000 for  
each action in willful violation of this article.

(c) Limitation.--Penalties imposed under this article shall  
not exceed \$500,000 in the aggregate during a calender year.

(d) Violations by optometrists and ophthalmologists.--A  
violation of this article by an optometrist shall constitute  
unprofessional conduct under the act of June 6, 1980 (P.L.197,  
No.57), known as the Optometric Practice and Licensure Act. A  
violation of this article by an ophthalmologist shall constitute  
unprofessional conduct under the act of December 20, 1985  
(P.L.457, No.112), known as the Medical Practice Act of 1985, or  
the act of October 5, 1978 (P.L.1109, No.261), known as the  
Osteopathic Medical Practice Act.

Amend Bill, page 9, line 4, by inserting after "WITH"  
the

Amend Bill, page 9, line 5, by striking out "INSURANCE  
DEPARTMENT" and inserting

1           department

2           Amend Bill, page 9, line 10, by striking out "INSURANCE

3 DEPARTMENT" and inserting

4           department