

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

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

2 selection

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

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

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

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

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

23 (2) Enter a cease and desist order.

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

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

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

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

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

40 the

41 Amend Bill, page 9, line 5, by striking out "INSURANCE

42 DEPARTMENT" and inserting

1 department

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

3 DEPARTMENT" and inserting

4 department