
HOUSE BILL 1942

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Green, Harris, Moeller, Morrell, and Santos

Read first time 02/20/13. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to medical eye care or vision care; amending RCW
2 48.20.410 and 48.21.140; adding a new section to chapter 48.44 RCW; and
3 adding a new section to chapter 48.46 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 48.20.410 and 1965 c 149 s 2 are each amended to read
6 as follows:

7 (1) Notwithstanding any provision of any disability insurance
8 contract, ((benefits shall not be denied thereunder for any eye care
9 service rendered by a holder of a license issued pursuant to chapter
10 18.53 RCW, provided, that (1) the service rendered was within the
11 lawful scope of such person's license, and (2) such contract would have
12 provided the benefits for such service if rendered by a holder of a
13 license issued pursuant to chapter 18.71 RCW)) for an insurance plan
14 that includes medical eye care or vision care benefits including, but
15 not limited to, a health maintenance organization, a health care
16 service contractor, a preferred provider organization, a managed care
17 organization, an accountable care organization, a medical home
18 organization, or a contract of insurance through any medical or
19 hospital service contracts, services may not be denied for any eye care

1 service and there may be no discrimination in the amount of either (a)
2 medical eye care or vision care benefits available to an insured,
3 participant, or other person entitled to such benefits, whether
4 provided by an optometrist or another physician, in instances where the
5 services performed are within the lawful scope of practice of those
6 professions; and (b) reimbursements or payments to the provider of such
7 medical eye care or vision care services, whether performed by an
8 optometrist or another physician, in instances where the services
9 performed are within the lawful scope of practice of those professions.
10 The services must be provided by an optometrist or another physician
11 operating within the scope of their license.

12 (2) A licensed optometrist is entitled to participate in contracts
13 or plans providing for medical eye care or vision care services as a
14 health care provider or otherwise, to the same extent as other licensed
15 physicians, and there may be no discrimination against any provider,
16 whether an optometrist or another physician, who is located within the
17 geographic area of the health maintenance organization, preferred
18 provider organization, managed care organization, accountable care
19 organization, or plan or contract of insurance. A health maintenance
20 organization, preferred provider organization, managed care
21 organization, accountable care organization, or plan or contract of
22 insurance or any medical or hospital service contract may not impose a
23 copayment, coinsurance amount, or any other fee on a covered
24 participant or insured that is greater than the amount charged for the
25 same service when provided by an allopathic physician or an osteopathic
26 physician.

27 (3) It is unlawful for a health maintenance organization, preferred
28 provider organization, managed care organization, accountable care
29 organization, or plan or contract of insurance to require a licensed
30 optometrist to participate as a provider in another medical or vision
31 care plan or contract as a condition of or requirement for
32 participation by a licensed optometrist as a provider in any medical or
33 vision care plan or contract.

34 **Sec. 2.** RCW 48.21.140 and 1965 c 149 s 3 are each amended to read
35 as follows:

36 (1) Notwithstanding any provision of any group disability insurance
37 contract or blanket disability insurance contract, ((benefits shall not

1 ~~be denied thereunder for any eye care service rendered by a holder of~~
2 ~~a license issued pursuant to chapter 18.53 RCW, provided, that (1) the~~
3 ~~service rendered was within the lawful scope of such person's license,~~
4 ~~and (2) such contract would have provided the benefits for such service~~
5 ~~if rendered by a holder of a license issued pursuant to chapter 18.71~~
6 RCW)) for an insurance plan that includes medical eye care or vision
7 care benefits including, but not limited to, a health maintenance
8 organization, a health care service contractor, a preferred provider
9 organization, a managed care organization, an accountable care
10 organization, a medical home organization, or a contract of insurance
11 through any medical or hospital service contracts, services may not be
12 denied for any eye care service and there may be no discrimination in
13 the amount of either (a) medical eye care or vision care benefits
14 available to an insured, participant, or other person entitled to such
15 benefits, whether provided by an optometrist or another physician, in
16 instances where the services performed are within the lawful scope of
17 practice of those professions; and (b) reimbursements or payments to
18 the provider of such medical eye care or vision care services, whether
19 performed by an optometrist or another physician, in instances where
20 the services performed are within the lawful scope of practice of those
21 professions. The services must be provided by an optometrist or
22 another physician operating within the scope of their license.

23 (2) A licensed optometrist is entitled to participate in contracts
24 or plans providing for medical eye care or vision care services as a
25 health care provider or otherwise, to the same extent as other licensed
26 physicians, and there may be no discrimination against any provider,
27 whether an optometrist or another physician, who is located within the
28 geographic area of the health maintenance organization, preferred
29 provider organization, managed care organization, accountable care
30 organization, or plan or contract of insurance. A health maintenance
31 organization, preferred provider organization, managed care
32 organization, accountable care organization, or plan or contract of
33 insurance or any medical or hospital service contract may not impose a
34 copayment, coinsurance amount, or any other fee on a covered
35 participant or insured that is greater than the amount charged for the
36 same service when provided by an allopathic physician or an osteopathic
37 physician.

1 (3) It is unlawful for a health maintenance organization, preferred
2 provider organization, managed care organization, accountable care
3 organization, or plan or contract of insurance to require a licensed
4 optometrist to participate as a provider in another medical or vision
5 care plan or contract as a condition of or requirement for
6 participation by a licensed optometrist as a provider in any medical or
7 vision care plan or contract.

8 NEW SECTION. Sec. 3. A new section is added to chapter 48.44 RCW
9 to read as follows:

10 (1) Notwithstanding any provision of a health care service
11 contract, for a contract that includes medical eye care or vision care
12 benefits, services may not be denied for any eye care service and there
13 may be no discrimination in the amount of either (a) medical eye care
14 or vision care benefits available to an insured, participant, or other
15 person entitled to such benefits, whether provided by an optometrist or
16 another physician, in instances where the services performed are within
17 the lawful scope of practice of those professions; and (b)
18 reimbursements or payments to the provider of such medical eye care or
19 vision care services, whether performed by an optometrist or another
20 physician, in instances where the services performed are within the
21 lawful scope of practice of those professions. The services must be
22 provided by an optometrist or another physician operating within the
23 scope of their license.

24 (2) A licensed optometrist is entitled to participate in contracts
25 or plans providing for medical eye care or vision care services as a
26 health care provider or otherwise, to the same extent as other licensed
27 physicians, and there may be no discrimination against any provider,
28 whether an optometrist or another physician, who is located within the
29 geographic area of the health care service contractor. A health care
30 service contractor may not impose a copayment, coinsurance amount, or
31 any other fee on a covered participant or insured that is greater than
32 the amount charged for the same service when provided by an allopathic
33 physician or an osteopathic physician.

34 (3) It is unlawful for a health care service contractor to require
35 a licensed optometrist to participate as a provider in another medical
36 or vision care plan or contract as a condition of or requirement for

1 participation by a licensed optometrist as a provider in any medical or
2 vision care plan or contract.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.46 RCW
4 to read as follows:

5 (1) Notwithstanding any provision of a health maintenance
6 agreement, for an agreement that includes medical eye care or vision
7 care benefits, services may not be denied for any eye care service and
8 there may be no discrimination in the amount of either (a) medical eye
9 care or vision care benefits available to an insured, participant, or
10 other person entitled to such benefits, whether provided by an
11 optometrist or another physician, in instances where the services
12 performed are within the lawful scope of practice of those professions;
13 and (b) reimbursements or payments to the provider of such medical eye
14 care or vision care services, whether performed by an optometrist or
15 another physician, in instances where the services performed are within
16 the lawful scope of practice of those professions. The services must
17 be provided by an optometrist or another physician operating within the
18 scope of their license.

19 (2) A licensed optometrist is entitled to participate in contracts
20 or plans providing for medical eye care or vision care services as a
21 health care provider or otherwise, to the same extent as other licensed
22 physicians, and there may be no discrimination against any provider,
23 whether an optometrist or another physician, who is located within the
24 geographic area of the health maintenance organization. A health
25 maintenance organization may not impose a copayment, coinsurance
26 amount, or any other fee on a covered participant or insured that is
27 greater than the amount charged for the same service when provided by
28 an allopathic physician or an osteopathic physician.

29 (3) It is unlawful for a health maintenance organization to require
30 a licensed optometrist to participate as a provider in another medical
31 or vision care plan or contract as a condition of or requirement for
32 participation by a licensed optometrist as a provider in any medical or
33 vision care plan or contract.

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