

1 ENGROSSED SENATE  
2 BILL NO. 804

By: Standridge of the Senate

3 and

4 Coody (Jeff) of the House

5  
6 An Act relating to vision plans; amending 74 O.S.  
7 2011, Section 1374, as amended by Section 982,  
8 Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2014, Section  
9 1374), which relates to visions plans; updating  
10 vision plan year; modifying certain responsibility  
11 required of Office of Management and Enterprise  
12 Services; requiring certain plan providers to provide  
13 requested information; modifying criteria of eligible  
14 plans; conforming language; modifying certain  
15 certification or licensing requirements; requiring  
16 vision plan of certain vendors be offered; defining  
17 term; authorizing selection of out-of-state vendors  
18 under certain circumstances; providing an effective  
19 date; and declaring an emergency.

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

21 SECTION 1. AMENDATORY 74 O.S. 2011, Section 1374, as  
22 amended by Section 982, Chapter 304, O.S.L. 2012 (74 O.S. Supp.  
23 2014, Section 1374), is amended to read as follows:

24 Section 1374. For the plan year beginning January 1, ~~2005~~ 2016,  
and for each year thereafter, it shall be the ~~fiduciary~~  
responsibility of the Office of Management and Enterprise Services  
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 Office of its desire to participate~~ offer a vision

1 plan or plans to state employees and retirees during the open  
2 enrollment period. Providers of plans eligible for selection shall  
3 submit information requested by the Office of Management and  
4 Enterprise Services no later than July 1 of each year and meets or  
5 exceeds. Plans eligible for selection shall meet or exceed the  
6 following criteria:

7 1. Has in place a statewide network of at least one hundred  
8 fifty providers. "Providers", for purposes of this section, means  
9 Optometrists (OD), Ophthalmologists (MD), and Ophthalmologists (DO)  
10 which shall be counted once regardless of the number of locations  
11 where they may practice. Optical shops and retail optical locations  
12 shall not be listed as providers. The company offering the vision  
13 plan must have a direct relationship with each provider on its  
14 panel, and may not lease, borrow, or otherwise obtain use of a  
15 provider panel from another company. This would not prevent a  
16 company from offering ~~their~~ its plan through one corporate entity  
17 and administering the plan or provider panel through another legal  
18 entity of the same organization so long as the entity receiving  
19 premiums remains legally responsible for the payment of benefits.

20 Providers must be actively engaged in providing the services offered  
21 under the vision plan they represent;

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

23 3. Is properly licensed, registered, certified or authorized to  
24 operate its business in this state by the Insurance Department,

1 ~~certified by the State Department of Health, or licensed as a third-~~  
2 ~~party administrator by the Insurance Department.~~ Vision plans must  
3 be offered by the company administering the plan, not by an agent or  
4 third party. A company shall offer only one vision plan and rate  
5 schedule for each plan year;

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

8 5. Vision plans must provide an examination, frames and lenses,  
9 and/or contact lenses and some form of indemnified payment to the  
10 contracted providers for each component of the benefits, i.e., the  
11 exam, frames and lenses and/or contact lenses. This does not  
12 eliminate discounted supplementary benefits under a qualified plan,  
13 so long as such benefits pertain to vision care.

14 Any administrative fees imposed by the Oklahoma Employees  
15 Insurance and Benefits Board shall be applied equally to all  
16 qualified vision plans. There shall be no additional requirements  
17 imposed on a vision plan other than the proper licensing, ~~or~~  
18 certification or authorization to operate its business by the  
19 ~~appropriate state agency~~ Oklahoma Insurance Department. Any  
20 Oklahoma-based vendor who meets the criteria as specified herein  
21 shall be offered for enrollment in any state employee benefit  
22 offering. For purposes of this paragraph, an "Oklahoma-based  
23 vendor" shall be defined as a vision care benefit company whose home  
24 office, customer service, and administration are located within this

1 state and is subject to Oklahoma state income taxes. The Office of  
2 Management and Enterprise Services may at its discretion select up  
3 to one out-of-state vision care benefits company as an offered  
4 vendor, provided it meets the criteria specified herein.

5 SECTION 2. This act shall become effective July 1, 2015.

6 SECTION 3. It being immediately necessary for the preservation  
7 of the public peace, health and safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

10 Passed the Senate the 3rd day of March, 2015.

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12 \_\_\_\_\_  
13 Presiding Officer of the Senate

14 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
15 2015.

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17 \_\_\_\_\_  
18 Presiding Officer of the House  
19 of Representatives