

INTERIM STUDY PROPOSAL 2025-001

REQUESTING THAT THE SENATE COMMITTEE ON INSURANCE AND COMMERCE
STUDY THE EFFECTS OF IMPLEMENTING ACTS 2025, NO. 142 TO REGULATE
A VISION BENEFIT MANAGER.

WHEREAS, a vision benefit manager is a company that administers vision
benefits for clients, such as an insurance provider or an employer; and

WHEREAS, Acts 2025, No. 142 was passed to regulate vision benefit
managers; and

WHEREAS, the legislation requires an insurer, vision benefit manager,
vision care plan, or vision care discount plan to identify participating
vision care providers in a neutral manner and shall not distinguish between
participating vision care providers based on the following characteristics:

(1) A discount or incentive offered by the vision care provider
on services and materials that are not covered by the insurer or vision
benefit manager, vision care plan, or vision care discount plan;

(2) The dollar amount, volume amount, or percent usage amount of
any material or goods purchased by the vision care provider; or

(3) The brand, source, manufacturer, or supplier of a covered
service or covered product utilized by the vision care provider; and

WHEREAS, Acts 2025, No. 142 prohibits an insurer, vision benefit
manager, vision care plan, or vision care discount plan from advertising that
services and materials are covered with additional copay or coinsurance if
the health benefit plan, vision benefit plan, or vision benefit discount plan
does not reimburse the participating vision care provider for the services or
materials in order to claim that services and materials are covered services
and materials; and

WHEREAS, Acts 2025, No. 142 prohibits an insurer, vision benefit
manager, vision care plan, or vision care discount plan from steering
enrollees to or limiting an enrollees' choice of vision care provider for
services or materials that are not covered services or not covered materials;

1 and

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3 WHEREAS, Acts 2025, No. 142 prohibits an insurer, vision benefit
4 manager, vision care plan, or vision care discount plan from incentivizing,
5 recommending, encouraging, persuading, or attempting to persuade an enrollee
6 to obtain covered services, noncovered services, covered materials, or
7 noncovered materials:

8 (1) At any particular participating vision care provider over
9 another participating vision care provider;

10 (2) At a retail establishment owned by, partially owned by,
11 contracted with, or otherwise affiliated with the insurer, vision benefit
12 manager, vision care plan, or vision care discount plan instead of a
13 different vision care provider; or

14 (3) At any internet or virtual provider or retailer owned by,
15 partially owned by, contracted with, or otherwise affiliated with the vision
16 plan instead of a different participating vision care provider; and

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18 WHEREAS, Acts 2025, No. 142 prohibits an insurer, vision benefit
19 manager, vision care plan, or vision care discount plan from reimbursing a
20 vision care provider a different amount for covered services or covered
21 materials because of the vision care provider's choice of:

22 (1) Optical laboratory;

23 (2) Source of supplier of:

24 (A) Contact lenses;

25 (B) Ophthalmic lenses;

26 (C) Ophthalmic glasses frames; or

27 (D) Covered services, covered materials, noncovered
28 services, or noncovered materials;

29 (3) Equipment used for patient care;

30 (4) Retail optical affiliation;

31 (5) Vision support organization;

32 (6) Group purchasing organization;

33 (7) Doctor alliance;

34 (8) Professional trade association membership;

35 (9) Electronic health record software, electronic medical record
36 software, or practice management software; or

1 (10) Third-party claim filing service, billing service, or
2 electronic data interchange clearinghouse company; and
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4 WHEREAS, the General Assembly should study the effects of implementing
5 Acts 2025, No. 142 with these specific provisions and the overall
6 implementation of Acts 2025, No. 142 in this state,
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8 NOW THEREFORE,

9 BE IT PROPOSED BY THE Senate Committee on Insurance and Commerce OF THE
10 NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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12 THAT the Senate Committee on Insurance and Commerce study the effects
13 of implementing Acts 2025, No. 142 that regulates vision benefit managers
14 with these specific provisions and the overall implementation of Acts 2025,
15 No. 142 in this state.
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18 Respectfully submitted,
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22 Senator Justin Boyd
23 District 27
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26 Prepared by: ANS/ANS
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