



NATIONAL ASSOCIATION
OF VISION CARE PLANS

March 17, 2015

Senator Mary Pilcher-Cook
Chair, Senate Committee on Public Health
Room: 441-E

RE: HB 2281 "An Act concerning the vision care services act; amending K.S.A. 2014 Supp. 40-5906 and repealing the existing section."

Dear Madame Chair:

I am writing to you on behalf of the National Association of Vision Care Providers (NAVCP) to communicate the intent and commitment of our association and our members to comply with K.S.A. 2014 Supp. 40-5906. Based on conversations held in response to House Bill 2281, we understand that the Kansas Optometric Association is concerned that our members are not in compliance with the Act and want the Commissioner of Insurance to promulgate rules to assure compliance with the law. We are committed to working with the Commissioner as well as with the Optometric Association to identify implementation issues and to translate these concerns into regulatory policy.

As we expressed in our written testimony to the Committee, we fully support the clear and unambiguous implementation of the Vision Care Services Act passed last year and support the implementation of that Act through rulemaking or guidance administered by the Commissioner of Insurance, that H.B. 2281 as originally drafted would direct.

The Optometric Association has removed language addressing non-vision care insurance discount programs in their amendments. Because these non-insurance discount programs were not regulated by the Commissioner of Insurance, it made sense to apply the oversight of the Attorney General. We are concerned that the current amended language subjects our plans to administrative oversight from both the Insurance Commissioner and the Attorney General. We believe this will lead to more confusion, not less.

It is our understanding that language applying the oversight of the Attorney General is sought because of a concern that rules and enforcement may not be applied by through the Department of Insurance. To allay this fear, my organization pledges to work with the Kansas Optometric Association to solicit rulemaking from the Commissioner and to work together for clear rules from a single regulator to assure compliance from our member plans and to address provider complaints and confusion.

Sincerely,

Julian Roberts
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