**Proponent Testimony HOUSE BILL 156**

**Senate Insurance & Financial Institutions Committee**

**Keith Kerns, Executive Director**

**The Ohio Optometric Association**

**November 27, 2018**

Chairman Hottinger, Vice Chairman Hackett, Ranking Member Brown and the members of the committee, my name is Keith Kerns and I am the Executive Director of the Ohio Optometric Association (OOA). I am here today to testify in strong support of House Bill 156, consensus-built legislation also known as the Vision Services Act. HB 156 is sponsored by Representative Kirk Schuring and is a result of nearly four years of hard work between the OOA, the National Association of Vision Care Plans and other interested parties. As you know, HB 156 overwhelmingly passed the Ohio House 92-2 in a bipartisan fashion.

The OOA is the statewide organization that represents over 70% of Ohio’s doctors of optometry. Our association is enthusiastically supporting HB 156 because it is patient-centered legislation that will provide your constituents with greater opportunities to make informed choices about their vision care by focusing on enhanced transparency and disclosure in three primary areas:

* **Choice of Suppliers**. The bill ensures that optometrists, ophthalmologists and most importantly, patients, will be able to utilize the suppliers of their choice when ordering eyewear and other materials.
* **Preserving a Robust Marketplace for Patients**. The bill prohibits forced pricing on the sale of vision materials and services that are not covered services under a benefit plan, but preserves a doctor’s option to accept the plan’s recommended price if they choose. Forced pricing can have the effect of removing vision service providers from the marketplace and forcing patients to obtain vision materials from other retailers, some of whom may be located outside the state.
* **Choice of Plans**. The bill ensures that vision care providers are only obligated to participate in vision insurance plans of their choice. Some health insurers require providers to participate with or be credentialed by a discount vision plan as a condition of joining the health insurer’s provider panel.

The OOA strongly believes HB 156 is needed today for several reasons but primarily to benefit patients through enhanced opportunities and relationships regarding positive interactions with their primary eye care doctors and their vision insurance plans. Specifically, the OOA feels HB 156 requires action now for the following reasons:

* **Action is necessary to preserve patient choice**. The current market sometimes limits patients’ treatment options and drives patients to suppliers based on priorities other than quality of care. This can have the effect of removing doctors from the retail marketplace, causing patients to obtain products from retailers other than the doctors they trust.
* **Action is necessary to protect small businesses**. The vast majority of vision care is provided in small business setting which help drive local economies through the purchasing of supplies and the payment of taxes and salaries. These businesses experience high overhead costs and action is necessary to preserve their viability. 10,000 Ohioans are estimated to be employed directly in optometric practices.
* **Action is necessary because no other options exist for relief**. Antitrust restrictions limit doctors’ ability to negotiate with insurers resulting in “take it or leave it” contracts which can contain provisions such as those addressed in this bill.

I would like to reiterate the importance of the process that brought us here today, namely that **HB 156 is consensus driven legislation.** It wasn’t always easy, but the current version of this important bill is truly reflective of good faith negotiations between the OOA and the National Association of Vision Care Plans, and I want to thank the NAVCP and its member organizations for their efforts. Both organizations worked diligently and in good faith and we believe this bill will benefit patients in many ways. We believe the very strong bipartisan vote in the House is reflective of this collaborative process and hopefully presents a reflective, well-reasoned final product for consideration by this committee and the entire Senate. Ohio’s optometrists and the vision plans, which contract with most health insurance plans to provide vision benefits to their enrollees, engaged in this process with the best interests of patients in mind and our organizations strongly believe that HB 156 reflects that goal.

On behalf of the OOA and Ohio’s doctors of optometry, thank you for allowing me to be here today to testify in support of HB 156. I will be happy to answer any questions members of the committee may have at this time.