

STATE OF NEW YORK

6813

2025-2026 Regular Sessions

IN SENATE

March 24, 2025

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to enacting the "optometry freedom act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "optometry freedom act".

3 § 2. The insurance law is amended by adding a new section 3246 to read
4 as follows:

5 § 3246. Optometry choice of supply. 1. For the purposes of this
6 section, the following terms shall have the following meanings:

7 (a) "Covered materials" means materials for which reimbursement from
8 the carrier or vision care plan is provided to an optometrist by a
9 covered person's plan contract, or for which a reimbursement would be
10 available but for the application of the enrollee's contractual limita-
11 tions of deductibles, copayments, or coinsurance.

12 (b) "Covered services" means services for which reimbursement from the
13 carrier or vision care plan is provided to an optometrist by an
14 enrollee's plan contract, or for which a reimbursement would be avail-
15 able but for the application of the enrollee's contractual limitations
16 of deductibles, copayments, or coinsurance.

17 (c) "Materials" means ophthalmic devices including, but not limited
18 to, lenses, devices containing lenses, ophthalmic frames and other lens
19 mounting apparatus, prisms, lens treatments and coatings, contact lens-
20 es, and prosthetic devices to correct, relieve, or treat defects or
21 abnormal conditions of the human eye or its adnexa.

22 (d) "Optometrist" shall mean anyone licensed to practice optometry
23 pursuant to article one hundred forty-three of the education law.

24 (e) "Services" means the professional work performed by an optome-
25 trist.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD07963-01-5

1 (f) "Vision care plan" means an entity that creates, promotes, sells,
2 provides, advertises or administers, an integrated or stand-alone plan
3 provisioning for reimbursement for optometric services, or an insurance
4 policy or contract which provides optometric or medically necessary
5 benefits to an enrollee pertaining to the provision of covered services
6 or covered materials.

7 2. No contract between a carrier or vision care plan and an optome-
8 trist shall restrict or limit, either directly or indirectly, the
9 optometrist's choice of sources and suppliers of services or materials
10 or use of optical labs provided by the optometrist to an enrollee.

11 § 3. This act shall take effect immediately.