

119TH CONGRESS  
1ST SESSION

# S. 1716

To amend title XXVII of the Public Health Service Act to improve health care coverage under vision plans, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 12, 2025

Mr. CRAMER (for himself, Mr. MURPHY, and Mr. MULLIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend title XXVII of the Public Health Service Act to improve health care coverage under vision plans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Vision Lab Choice Act  
5       of 2025”.

1 **SEC. 2. IMPROVING HEALTH CARE COVERAGE UNDER VI-**  
 2 **SION PLANS.**

3 (a) IN GENERAL.—Title XXVII of the Public Health  
 4 Service Act is amended by inserting after section 2719A  
 5 (42 U.S.C. 300gg–19a) the following new section:

6 **“SEC. 2719B. IMPROVING COVERAGE UNDER VISION PLANS.**

7 “(a) IN GENERAL.—With respect to a group health  
 8 plan or individual or group health insurance coverage that  
 9 provides benefits for items and services relating to vision  
 10 care (including such a plan or coverage that offers limited  
 11 scope vision benefits), the following shall apply:

12 “(1) DURATION OF LIMITED SCOPE VISION  
 13 PLANS.—In the case of a doctor of optometry who  
 14 has an agreement or is the beneficiary of an agree-  
 15 ment with respect to a group health plan or health  
 16 insurance coverage that offers limited scope vision  
 17 benefits—

18 “(A) the term of the initial agreement  
 19 shall be not longer than 2 years;

20 “(B) the agreement may be extended with  
 21 the prior acceptance by such doctor for each  
 22 such term extension, and any such extension  
 23 may be for a term not longer than 2 years; and

24 “(C) the agreement may be extended for  
 25 unlimited terms, subject to subparagraph (B).

1           “(2) NO RESTRICTIONS ON CHOICE OF LABORA-  
2           TORIES AND SOURCES AND SUPPLIERS.—A group  
3           health plan or health insurance issuer offering such  
4           coverage may not, directly or indirectly, restrict or  
5           limit a doctor of optometry described in paragraph  
6           (1) with respect to choice of laboratories, or choice  
7           of source or supplier of services or materials pro-  
8           vided by the doctor to an individual who is enrolled  
9           under the plan or coverage.

10          “(b) NOTIFICATION.—The Secretary shall on an an-  
11          nual basis notify each State of the State’s authority to  
12          enforce the provisions of subsection (a) against a group  
13          health plan or a health insurance issuer offering health  
14          insurance coverage described in subsection (a) pursuant  
15          to section 2723(a)(1) and request confirmation from the  
16          State whether or not the State will enforce the provisions  
17          of subsection (a). If a State notifies the Secretary that  
18          the State will not enforce the provisions of subsection (a)  
19          or fails to respond within 90 days of the Secretary’s re-  
20          quest, the Secretary shall treat such State as failing to  
21          substantially enforce such provisions for purposes of sub-  
22          sections (a)(2) and (b) of section 2723.

23          “(c) DEFINITION.—In this section, the term ‘doctor  
24          of optometry’ means a doctor of optometry who is legally

1 authorized to practice optometry by the State in which the  
2 doctor so practices.”.

3 (b) CONFORMING AMENDMENT.—Section 2722(c)(1)  
4 of the Public Health Service Act (42 U.S.C. 300gg–  
5 21(c)(1)) is amended by inserting “(other than the re-  
6 quirements under section 2719B)” after “section  
7 2791(c)(2)”.

8 (c) EXCLUSIVE APPLICABILITY OF STATE LAW.—  
9 Notwithstanding any amendment made by this Act, State  
10 law that directly affects any standard or requirement re-  
11 lating to health insurance issuers and vision benefit plans,  
12 shall have exclusive application and the amendments made  
13 by this Act shall not apply to the extent that such State  
14 law conflicts with such amendments. The State shall re-  
15 tain exclusive jurisdiction over health insurance issuers  
16 and limited scope vision benefit plans that are directly gov-  
17 erned by such State.

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