

Assembly Bill 588

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**CHAPTER 73, LAWS OF 1967**

AN ACT to amend 200.26 (1) and (2) (a) and (c) and 209.04 (11) (intro.); and to create 153.14 and 153.15 of the statutes, relating to nonprofit plans for optometric care.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 153.14 and 153.15 of the statutes are created to read:

153.14 WISCONSIN VISION SERVICES, INC. The Wisconsin vision services, incorporated is continued with the general powers of a domestic nonstock corporation. It may take by purchase or gift and hold real and personal property. It may adopt, alter and enforce bylaws and rules for the admission and expulsion of members, the election of officers and the management of its affairs.

153.15 PREPAID OPTOMETRIC PLANS. (1) The Wisconsin vision services, incorporated may establish in the state a nonprofit plan on a prepayment or other basis for the optometric care of the general population, or any segment of it, through contracts with optometrists, members of the public, any branch of government, and others; provided only that free choice of the public in the selection of an optometrist is retained in such contracts, and that the responsibility of an optometrist to the individual patient together with all other contract and tort relationships between an optometrist and patient, remains the same as if contractual arrangements between them were direct. Any person covered by or insured under such plan, or someone acting for him, shall be free to choose for optometric services any optometrist licensed to practice in this state who has agreed to abide by the terms of such plan. No such optometrist shall be required to participate exclusively in any such plan.

(2) Any such plan shall be subject to all applicable provisions of ss. 200.26 and 209.04 (11).

(3) This section shall apply exclusively to a corporation or other organization organized, recognized or operated under s. 153.14 or this section.

(4) The Wisconsin vision services, incorporated may:

(a) Establish a nonprofit optometric service plan within its corporate structure;

(b) Approve for itself and its members an optometric service plan established by such organization, when the corporation finds a plan of the latter type to be in the public visual health interest; or

(c) Organize a corporation with authority to establish a nonprofit optometric service plan, which corporation shall be subject to subs. (1) and (2).

(5) So as to encourage experimentation in the visual health and economic interests of the general public, any plan organized or approved under this section may operate on a service, indemnity or a combined service and indemnity basis.

SECTION 2. 200.26 (1) and (2) (a) and (c) of the statutes are amended to read:

200.26 (1) As used in this section unless the context clearly implies otherwise: "Organization" means any society, organization or corporation, operating a plan of sickness care as permitted by ch. 148, hospital service as permitted by s. 182.032, or a plan of dental care as permitted by s. 152.53, or a prepaid prescription plan as permitted by s. 151.17, *or prepaid optometric service plans as permitted by s. 153.15*; but when any such plan is operated by any division or agency of any such society, organization or corporation then the term "organization" means only such division or agency.

(2) (a) A written declaration defining the organization and structure and area of operation of each existing or proposed plan for sickness care as permitted by ch. 148, hospital service as permitted by s. 182.032, or for dental care as permitted by s. 152.53, or a prepaid prescription plan as permitted by s. 151.17, *or prepaid optometric service plans as permitted by s. 153.15*, and any amendments thereto.

(c) Each form of contract or contractual agreement executed or proposed to be executed by and between the organization and any physicians, dentists, pharmacists, hospital, public party or others embodying the terms under which sickness care as permitted by ch. 148, hospital service as permitted by s. 182.032, or dental care as permitted by s. 152.53, or prepaid prescription plan as permitted by s. 151.17, *or prepaid optometric service plans as permitted by s. 153.15*, is to be furnished to subscribers to the plan.

SECTION 3. 209.04 (11) (intro.) of the statutes is amended to read:

209.04 (11) (intro.) For the purpose of regulating agents of nonprofit sickness care plans as organized under ch. 148, hospital service plans as organized under s. 182.032, or dental care plans as organized under s. 152.53, or prepaid prescription plans as organized under s. 151.17, *or optometric service plans as organized under s. 153.15*:

Approved July 10, 1967.