

May 18, 2016

Craig S. Steinberg, O.D., J.D., Executive Director
5737 Kanan Road, #540
Agoura Hills, CA 91301

RE: VSP Frame Reimbursement Program

Dear Mr. Steinberg:

Please be advised that we received your letter dated May 2nd, 2016 and after due consideration of the same we respectfully disagree with your characterizations, contentions and legal conclusions with respect to the VSP July 1, 2016 VSP frame reimbursement program.

VSP Vision Care plans are specifically designed to give our members a wide range of choices for the provision of eyecare such as providers, frames and lenses. I would call to your attention that at all times the selection of frames is the member's decision and to suggest otherwise is just not true or accurate. The VSP Vision Care plans and attendant policies that implement them are designed to maximize the member's eye care benefit while supporting a network of eyecare professionals in full compliance with applicable law. Such policies have the net effect of reducing the cost of eyecare materials including frames which again do not require a professional prescription. That said, the 100% reimbursement rate for Marchon and Altair frames is intended to afford VSP network providers participation in VSP supply chain savings which likewise allows VSP members to benefit through reduced or discounted material costs.

To avoid even the suggestion that the profession of optometry through this program is in some manner in violation of your broad interpretation of federal law, this program will take effect as previously announced with the caveat that the reimbursement rate of 80% will apply for all frames selected by VSP members covered by one or more of the federal healthcare programs.

With best regards,



Thomas A. Fessler
Chief Legal Officer and General Counsel