

2019 -- H 5120

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Morin, Phillips, Casey, Vella-Wilkinson, and Millea

Date Introduced: January 11, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-85. Coverage for physical therapy, occupational therapy, massage therapy,**
4 **and the healing art of acupuncture and oriental medicine.**

5 Every individual or group health insurance contract, plan, or policy contract delivered,
6 issued for delivery, or renewed in this state on or after January 1, 2020, shall provide coverage for
7 physical therapy performed by an individual licensed under chapter 40 of title 5, occupational
8 therapy performed by an individual licensed under chapter 40 of title 5, massage therapy
9 performed by an individual licensed under chapter 20.8 of title 23, and the healing art of
10 acupuncture and oriental medicine performed by an individual licensed under chapter 37.2 of title
11 5.

12 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
13 Corporations" is hereby amended by adding thereto the following section:

14 **27-19-77. Coverage for physical therapy, occupational therapy, massage therapy,**
15 **and the healing art of acupuncture and oriental medicine.**

16 Every individual or group health insurance contract, plan, or policy contract delivered,
17 issued for delivery, or renewed in this state on or after January 1, 2020, shall provide coverage for
18 physical therapy performed by an individual licensed under chapter 40 of title 5, occupational
19 therapy performed by an individual licensed under chapter 40.1 of title 5, massage therapy

1 [performed by an individual licensed under chapter 20.8 of title 23, and the healing art of](#)
2 [acupuncture and oriental medicine performed by an individual licensed under chapter 37.2 of title](#)
3 [5.](#)

4 SECTION 3. Section 27-38.2-1 of the General Laws in Chapter 27-38.2 entitled
5 "Insurance Coverage for Mental Illness and Substance Abuse" is hereby amended to read as
6 follows:

7 **27-38.2-1. Coverage for treatment of mental health and substance use disorders.**

8 (a) A group health plan and an individual or group health insurance plan shall provide
9 coverage for the treatment of mental-health and substance-use disorders under the same terms and
10 conditions as that coverage is provided for other illnesses and diseases.

11 (b) Coverage for the treatment of mental-health and substance-use disorders shall not
12 impose any annual or lifetime dollar limitation.

13 (c) Financial requirements and quantitative treatment limitations on coverage for the
14 treatment of mental-health and substance-use disorders shall be no more restrictive than the
15 predominant financial requirements applied to substantially all coverage for medical conditions in
16 each treatment classification.

17 (d) Coverage shall not impose non-quantitative treatment limitations for the treatment of
18 mental health and substance-use disorders unless the processes, strategies, evidentiary standards,
19 or other factors used in applying the non-quantitative treatment limitation, as written and in
20 operation, are comparable to, and are applied no more stringently than, the processes, strategies,
21 evidentiary standards, or other factors used in applying the limitation with respect to
22 medical/surgical benefits in the classification.

23 (e) The following classifications shall be used to apply the coverage requirements of this
24 chapter: (1) Inpatient, in-network; (2) Inpatient, out-of-network; (3) Outpatient, in-network; (4)
25 Outpatient, out-of-network; (5) Emergency care; and (6) Prescription drugs.

26 (f) Medication-assisted treatment or medication-assisted maintenance services of
27 substance-use disorders, opioid overdoses, and chronic addiction, including methadone,
28 buprenorphine, naltrexone, or other clinically appropriate medications, is included within the
29 appropriate classification based on the site of the service.

30 (g) Payors shall rely upon the criteria of the American Society of Addiction Medicine
31 when developing coverage for levels of care for substance-use disorder treatment.

32 (h) Patients with substance-use disorders shall have access to evidence-based, non-opioid
33 treatment for pain, ~~therefore~~ [and](#) coverage shall apply to medically necessary chiropractic care
34 and osteopathic manipulative treatment performed by an individual licensed under § 5-37-2

1 [physical therapy performed by an individual licensed under chapter 40 of title 5, occupational](#)
2 [therapy performed by an individual licensed under chapter 40.1 of title 5, massage therapy](#)
3 [performed by an individual licensed under chapter 20.8 of title 23, and the healing art of](#)
4 [acupuncture and oriental medicine performed by an individual licensed under chapter 37.2 of title](#)
5 [5.](#)

6 (i) Parity of cost-sharing requirements. Regardless of the professional license of the
7 provider of care, if that care is consistent with the provider's scope of practice and the health
8 plan's credentialing and contracting provisions, cost-sharing for behavioral health counseling
9 visits and medication maintenance visits shall be consistent with the cost-sharing applied to
10 primary care office visits.

11 SECTION 4. This act shall take effect on January 1, 2020,

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require health insurance contract plans or policies to provide coverage for
2 certain licensed practices including physical therapy, occupational therapy, massage therapy,
3 acupuncture and oriental medicine and would consider such licensed practices as "evidence
4 based, non-opioid treatments for pain."

5 This act would take effect on January 1, 2020.

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