

2025 -- H 5861

LC001900

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Stewart, Fogarty, McGaw, Cruz, and Casimiro

Date Introduced: February 28, 2025

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

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

3 **27-18-95. Licensed certified lactation counselor.**

4 (a) As used in this section, "licensed certified lactation counselor" means a trained
5 professional who holds a licensure and certification by the department of health in accordance with
6 chapter 13.8 of title 23. Licensed certified lactation counselors provide services in assessment,
7 evaluation, problem identification, treatment, education, and consultation to provide lactation care
8 and services to childbearing families, and infant children from birth to twelve (12) months old
9 within the scope of practice pursuant to the provisions of § 23-13.8-9.

10 (b) Every individual or group health insurance contract, or every individual or group
11 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
12 or renewed in this state on or after January 1, 2026, shall provide coverage for the services of
13 lactation counselors in accordance with each health insurers' respective principles and mechanisms
14 of reimbursement, credentialing, and contracting, if the services are within the lactation counselors'
15 area of professional competence pursuant to the provisions of chapter 13.8 of title 23 ("lactation
16 counselor practice act of 2024"), and are currently reimbursed when rendered by any other health
17 care provider. No insurer or hospital or medical service corporation may require supervision,
18 signature, or referral by any other health care provider as a condition of reimbursement, except
19 when those requirements are also applicable to other categories of health care providers. No insurer

1 or hospital or medical service corporation or patient may be required to pay for duplicate services
2 actually rendered by both a licensed certified lactation counselor and any other health care provider.

3 (c) Every individual or group health insurance contract, or every individual or group
4 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
5 or renewed in this state that is required to cover licensed certified lactation counselor services
6 defined in subsection (a) of this section, shall report utilization and cost information related to
7 licensed certified lactation counselor services to the office of the health insurance commissioner on
8 or before July 1, 2026 and each July 1 thereafter. The office of the health insurance commissioner
9 shall define the utilization and cost information required to be reported.

10 (d) This section shall not apply to insurance coverage providing benefits for:

11 (1) Hospital confinement indemnity;

12 (2) Disability income;

13 (3) Accident only;

14 (4) Long-term care;

15 (5) Medicare supplement;

16 (6) Limited benefit health;

17 (7) Specified disease indemnity;

18 (8) Sickness or bodily injury or death by accident or both; and

19 (9) Other limited benefit policies.

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

22 **27-19-87. Licensed certified lactation counselor.**

23 (a) As used in this section, "licensed certified lactation counselor" means a trained
24 professional who holds a licensure and certification by the department of health in accordance with
25 chapter 13.8 of title 23. Licensed certified lactation counselors provide services in assessment,
26 evaluation, problem identification, treatment, education, and consultation to provide lactation care
27 and services to childbearing families, and infant children from birth to twelve (12) months old
28 within the scope of practice pursuant to the provisions of § 23-13.8-9.

29 (b) Every individual or group health insurance contract, or every individual or group
30 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
31 or renewed in this state on or after January 1, 2026, shall provide coverage for the services of
32 lactation counselors in accordance with each health insurers' respective principles and mechanisms
33 of reimbursement, credentialing, and contracting, if the services are within the lactation counselors'
34 area of professional competence pursuant to the provisions of chapter 13.8 of title 23 ("lactation

1 counselor practice act of 2024"), and are currently reimbursed when rendered by any other health
2 care provider. No insurer or hospital or medical service corporation may require supervision,
3 signature, or referral by any other health care provider as a condition of reimbursement, except
4 when those requirements are also applicable to other categories of health care providers. No insurer
5 or hospital or medical service corporation or patient may be required to pay for duplicate services
6 actually rendered by both a licensed certified lactation counselor and any other health care provider.

7 (c) Every individual or group health insurance contract, or every individual or group
8 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
9 or renewed in this state that is required to cover licensed certified lactation counselor services
10 defined in subsection (a) of this section, shall report utilization and cost information related to
11 licensed certified lactation counselor services to the office of the health insurance commissioner on
12 or before July 1, 2026 and each July 1 thereafter. The office of the health insurance commissioner
13 shall define the utilization and cost information required to be reported.

14 (d) This section shall not apply to insurance coverage providing benefits for:

15 (1) Hospital confinement indemnity;

16 (2) Disability income;

17 (3) Accident only;

18 (4) Long-term care;

19 (5) Medicare supplement;

20 (6) Limited benefit health;

21 (7) Specified disease indemnity;

22 (8) Sickness or bodily injury or death by accident or both; and

23 (9) Other limited benefit policies.

24 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
25 Corporations" is hereby amended by adding thereto the following section:

26 **27-20-83. Licensed certified lactation counselor.**

27 (a) As used in this section, "licensed certified lactation counselor" means a trained
28 professional who holds a licensure and certification by the department of health in accordance with
29 chapter 13.8 of title 23. Licensed certified lactation counselors provide services in assessment,
30 evaluation, problem identification, treatment, education, and consultation to provide lactation care
31 and services to childbearing families, and infant children from birth to twelve (12) months old
32 within the scope of practice pursuant to the provisions of § 23-13.8-9.

33 (b) Every individual or group health insurance contract, or every individual or group
34 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,

1 or renewed in this state on or after January 1, 2026, shall provide coverage for the services of
2 lactation counselors in accordance with each health insurers' respective principles and mechanisms
3 of reimbursement, credentialing, and contracting, if the services are within the lactation counselors'
4 area of professional competence pursuant to the provisions of chapter 13.8 of title 23 ("lactation
5 counselor practice act of 2024"), and are currently reimbursed when rendered by any other health
6 care provider. No insurer or hospital or medical service corporation may require supervision,
7 signature, or referral by any other health care provider as a condition of reimbursement, except
8 when those requirements are also applicable to other categories of health care providers. No insurer
9 or hospital or medical service corporation or patient may be required to pay for duplicate services
10 actually rendered by both a licensed certified lactation counselor and any other health care provider.

11 (c) Every individual or group health insurance contract, or every individual or group
12 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
13 or renewed in this state that is required to cover licensed certified lactation counselor services
14 defined in subsection (a) of this section, shall report utilization and cost information related to
15 licensed certified lactation counselor services to the office of the health insurance commissioner on
16 or before July 1, 2026 and each July 1 thereafter. The office of the health insurance commissioner
17 shall define the utilization and cost information required to be reported.

18 (d) This section shall not apply to insurance coverage providing benefits for:

19 (1) Hospital confinement indemnity;

20 (2) Disability income;

21 (3) Accident only;

22 (4) Long-term care;

23 (5) Medicare supplement;

24 (6) Limited benefit health;

25 (7) Specified disease indemnity;

26 (8) Sickness or bodily injury or death by accident or both; and

27 (9) Other limited benefit policies.

28 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
29 Organizations" is hereby amended by adding thereto the following section:

30 **27-41-100. Licensed certified lactation counselor.**

31 (a) As used in this section, "licensed certified lactation counselor" means a trained
32 professional who holds a licensure and certification by the department of health in accordance with
33 chapter 13.8 of title 23. Licensed certified lactation counselors provide services in assessment,
34 evaluation, problem identification, treatment, education, and consultation to provide lactation care

1 and services to childbearing families, and infant children from birth to twelve (12) months old
2 within the scope of practice pursuant to the provisions of § 23-13.8-9.

3 (b) Every individual or group health insurance contract, or every individual or group
4 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
5 or renewed in this state on or after January 1, 2026, shall provide coverage for the services of
6 lactation counselors in accordance with each health insurers' respective principles and mechanisms
7 of reimbursement, credentialing, and contracting, if the services are within the lactation counselors'
8 area of professional competence pursuant to the provisions of chapter 13.8 of title 23 ("lactation
9 counselor practice act of 2024"), and are currently reimbursed when rendered by any other health
10 care provider. No insurer or hospital or medical service corporation may require supervision,
11 signature, or referral by any other health care provider as a condition of reimbursement, except
12 when those requirements are also applicable to other categories of health care providers. No insurer
13 or hospital or medical service corporation or patient may be required to pay for duplicate services
14 actually rendered by both a licensed certified lactation counselor and any other health care provider.

15 (c) Every individual or group health insurance contract, or every individual or group
16 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
17 or renewed in this state that is required to cover licensed certified lactation counselor services
18 defined in subsection (a) of this section, shall report utilization and cost information related to
19 licensed certified lactation counselor services to the office of the health insurance commissioner on
20 or before July 1, 2026 and each July 1 thereafter. The office of the health insurance commissioner
21 shall define the utilization and cost information required to be reported.

22 (d) This section shall not apply to insurance coverage providing benefits for:

- 23 (1) Hospital confinement indemnity;
- 24 (2) Disability income;
- 25 (3) Accident only;
- 26 (4) Long-term care;
- 27 (5) Medicare supplement;
- 28 (6) Limited benefit health;
- 29 (7) Specified disease indemnity;
- 30 (8) Sickness or bodily injury or death by accident or both; and
- 31 (9) Other limited benefit policies.

32 SECTION 5. This act shall take effect on January 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

1 This act would require health insurance policies to cover licensed certified lactation
2 counselor services for childbearing families. It would also prohibit requiring supervision or
3 duplicate payments for services and mandates annual reporting.

4 This act would take effect on January 1, 2026.

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