

2026 -- H 8367

LC006194

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Donovan, Kislak, Fogarty, Boylan, Potter, Giraldo,
Furtado, Tanzi, Shallcross Smith, and Ajello

Date Introduced: March 27, 2026

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

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

27-18-96. Post-acute care prior authorization.

(a) As used in this section:

(1) "Post-acute care services" means specialized behavioral, medical, rehabilitative, or
homecare services provided to a patient discharged from an acute care hospital to improve the
patient's functional independence and manage the patient's ongoing health conditions.

(b) Every individual or group health insurance contract, or every individual or group
hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
or renewed in this state on or after January 1, 2027 shall provide coverage for post-acute care
services, as defined in subsection (a) of this section, for a minimum of seven (7) days and shall not
be subject to preauthorization prior to obtaining post-acute care services; provided, the discharging
hospital shall provide the insurer with notification prior to discharge and admission to post-acute
care; provided further, the utilization review procedures may be initiated on day seven (7). Medical
necessity shall be determined by the treating healthcare provider and shall be noted in the patient's
medical record and discharge plan.

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

27-19-88. Post-acute care prior authorization.

1 (a) As used in this section:

2 (1) “Post-acute care services” means specialized behavioral, medical, rehabilitative, or
3 homecare services provided to a patient discharged from an acute care hospital to improve the
4 patient’s functional independence and manage the patient’s ongoing health conditions.

5 (b) Every individual or group health insurance contract, or every individual or group
6 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
7 or renewed in this state on or after January 1, 2027 shall provide coverage for post-acute care
8 services, as defined in subsection (a) of this section, for a minimum of seven (7) days and shall not
9 be subject to preauthorization prior to obtaining post-acute care services; provided, the discharging
10 hospital shall provide the insurer with notification prior to discharge and admission to post-acute
11 care; provided further, the utilization review procedures may be initiated on day seven (7). Medical
12 necessity shall be determined by the treating healthcare provider and shall be noted in the patient’s
13 medical record and discharge plan.

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

16 **27-20-84. Post-acute care prior authorization.**

17 (a) As used in this section:

18 (1) “Post-acute care services” means specialized behavioral, medical, rehabilitative, or
19 homecare services provided to a patient discharged from an acute care hospital to improve the
20 patient’s functional independence and manage the patient’s ongoing health conditions.

21 (b) Every individual or group health insurance contract, or every individual or group
22 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
23 or renewed in this state on or after January 1, 2027 shall provide coverage for post-acute care
24 services, as defined in subsection (a) of this section, for a minimum of seven (7) days and shall not
25 be subject to preauthorization prior to obtaining post-acute care services; provided, the discharging
26 hospital shall provide the insurer with notification prior to discharge and admission to post-acute
27 care; provided further, the utilization review procedures may be initiated on day seven (7). Medical
28 necessity shall be determined by the treating healthcare provider and shall be noted in the patient’s
29 medical record and discharge plan.

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

32 **27-41-101. Post-acute care prior authorization.**

33 (a) As used in this section:

34 (1) “Post-acute care services” means specialized behavioral, medical, rehabilitative, or

1 homecare services provided to a patient discharged from an acute care hospital to improve the
2 patient's functional independence and manage the patient's ongoing health conditions.

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, 2027 shall provide coverage for post-acute care
6 services, as defined in subsection (a) of this section, for a minimum of seven (7) days and shall not
7 be subject to preauthorization prior to obtaining post-acute care services; provided, the discharging
8 hospital shall provide the insurer with notification prior to discharge and admission to post-acute
9 care; provided further, the utilization review procedures may be initiated on day seven (7). Medical
10 necessity shall be determined by the treating healthcare provider and shall be noted in the patient's
11 medical record and discharge plan.

12 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

- 1 This act would require healthcare insurers, without prior authorization, to provide post-
2 acute care services to patients discharged from a hospital for a minimum of seven (7) days
3 commencing on or after January 1, 2027.
4 This act would take effect upon passage.

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