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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO INSURANCE - HEALTH MAINTENANCE ORGANIZATIONS

Introduced By: Representatives McNamara, Shekarchi, Azzinaro, and Corvese

Date Introduced: March 04, 2014

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-41-49 of the General Laws in Chapter 27-41 entitled "Health
2 Maintenance Organizations" is hereby amended to read as follows:

3 **27-41-49. Third party reimbursement for services of certain health care workers. --**

4 (a) Every individual or group health insurance contract, plan or policy delivered, issued or
5 renewed by an insurer, health maintenance organization, nonprofit or for profit health service
6 corporation which provides benefits to individual subscribers and members within the state, or to
7 all group members having a principal place of employment within the state, shall provide benefits
8 for services rendered by a certified registered nurse anesthetist designated as a certified registered
9 nurse anesthetist by the board of nurse registration and nursing education; provided, that the
10 following conditions are met:

11 (1) ~~The certified registered nurse anesthetist provides certain health care services under~~
12 ~~the supervision of anesthesiologists, licensed physicians or licensed dentists in accordance with~~
13 ~~section 5-34.2-2(c), which requires substantial specialized knowledge, judgment and skill related~~
14 ~~to the administration of anesthesia, including pre-operative and post-operative assessment of~~
15 ~~patients; administering anesthetics; monitoring patients during anesthesia; management of fluids~~
16 ~~in intravenous therapy and management of respiratory care; The certified registered nurse~~
17 ~~anesthetist provides certain health care services in collaboration with anesthesiologists, licensed~~
18 ~~physicians, or licensed dentists which requires substantial specialized knowledge, judgment, and~~
19 ~~skill related to the administration of anesthesia, including preoperative and postoperative~~

1 assessment of patients; administering anesthetics; monitoring patients during anesthesia;
2 management of fluid in intravenous therapy and management of respiratory care. It also includes,
3 in connection with the immediate preoperative care of a patient, the ability to issue a medication
4 order for drugs or medications to be administered by a licensed, certified, or registered health care
5 provider; to order and evaluate laboratory and diagnostic test results and perform point of care
6 testing that the CRNA is qualified to perform; and order and evaluate radiographic imaging
7 studies that the CRNA is qualified to order and interpret. For the purposes of this section, the
8 immediate preoperative care of a patient shall be defined as the period commencing on the day
9 prior to surgery and ending upon discharge of the patient from post-anesthesia care;

10 (2) The policy or contract currently provides benefits for identical services rendered by a
11 provider of health care licensed by the state; and

12 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
13 hospital or facility for which the health maintenance organization has an alternative contractual
14 relationship to fund the services of a certified registered nurse anesthetist.

15 (b) It shall remain within the sole discretion of the health maintenance organization as to
16 which certified registered nurse anesthetists it shall contract with. Reimbursement shall be
17 provided according to the respective principles and policies of the health maintenance
18 organization; provided, that no health maintenance organization may be required to pay for
19 duplicative services actually rendered by a certified registered nurse anesthetist and any other
20 health care provider. Nothing contained in this section shall preclude the health maintenance
21 organization from conducting managed care, medical necessity or utilization review.

22 (c) A group health plan and a health insurance issuer offering group or individual health
23 insurance coverage shall not discriminate with respect to participation under the plan or coverage
24 against any health care provider who is acting within the scope of that provider's license or
25 certification under applicable state law. This section shall not require that a group health plan or
26 health insurance issuer contract with any health care provider willing to abide by the terms and
27 conditions for participation established by the plan or issuer. Nothing in this section shall be
28 construed as preventing a group health plan, or a health insurance issuer, establishing varying
29 reimbursement rates based on quality or performance measures.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would prohibit a group health plan and a health insurance issuer from
2 discriminating with respect to participation under the plan or coverage against any health care
3 provider who is acting within the scope of that provider's license or certification under applicable
4 state law.

5 This act would take effect upon passage.

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