

**2016 -- H 7163 SUBSTITUTE A**

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LC003700/SUB A/2  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2016**

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A N A C T

RELATING TO INSURANCE - ACCESS TO OPIOID ANALGESICS WITH ABUSE-  
DETERRENT PROPERTIES

Introduced By: Representatives Edwards, Canario, Bennett, Abney, and Keable

Date Introduced: January 14, 2016

Referred To: House Corporations

It is enacted by the General Assembly as follows:

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

4           **27-38.2-1. Coverage for the treatment of mental health and substance use disorders.**

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

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

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

14          (d) Coverage shall not impose non-quantitative treatment limitations for the treatment of  
15 mental health and substance-use disorders unless the processes, strategies, evidentiary standards,  
16 or other factors used in applying the non-quantitative treatment limitation, as written and in  
17 operation, are comparable to, and are applied no more stringently than, the processes, strategies,  
18 evidentiary standards, or other factors used in applying the limitation with respect to

1 medical/surgical benefits in the classification.

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

5 (f) Medication-assisted therapy, including methadone maintenance services, for the  
6 treatment of substance-use disorders, opioid overdoses, and chronic addiction is included within  
7 the appropriate classification based on the site of the service.

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

10 (h) Health practitioners prescribing as permitted under chapter 28 of title 21 (uniform  
11 controlled substances act) and health plan coverage shall support clinical practices that foster the  
12 appropriate use of abuse-deterrent opioid analgesic drug product formulations that are approved  
13 by the U.S. Food and Drug Administration, in accordance with subsection (c) of this section.  
14 When clinically appropriate, coverage for said abuse-deterrent formulations will not require the  
15 use of a non-deterrent opioid analgesic drug product formulation in order for patients to access  
16 abuse-deterrent products. All health plans shall include at least one abuse-deterrent formulations.

17 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 require health practitioners and health plan coverage to support clinical  
2 practices fostering appropriate use of abuse-deterrent analgesic drugs product formulations in the  
3 same manner in which the policies and plans cover non-deterrent drug formulations.

4           This act would take effect upon passage.

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