

2016 -- H 7618

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LC004755
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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 - HEALTH INSURANCE

Introduced By: Representatives Bennett, Solomon, Naughton, Azzinaro, and
McNamara

Date Introduced: February 12, 2016

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-55 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 ~~27-18-55. Acupuncture services. --- Acupuncture and Oriental medicine services. --~~

4 (a) Every individual or group health insurance contract, plan, or ~~group~~ policy delivered, issued for
5 delivery or renewed in this state which provides medical coverage, and every individual or group
6 policy which provides for treatment of persons for the prevention, cure or correction of any
7 illness or physical or mental condition, shall provide, ~~as an optional rider,~~ coverage for the
8 services, within the scope of practice, of a doctor of acupuncture and Oriental medicine licensed
9 under chapter 37.2 of title 5 ~~as a provider of acupuncture services; provided, that this section shall~~
10 ~~not apply to insurance coverage providing benefits for: (1) hospital confinement indemnity; (2)~~
11 ~~disability income; (3) accident only; (4) long term care; (5) Medicare supplement; (6) limited~~
12 ~~benefit health; (7) specified disease indemnity; (8) sickness or bodily injury or death by accident~~
13 ~~or both; and (9) other limited benefit policies.~~

14 (b) ~~For the purposes of this section:~~

15 ~~(1) "Doctor of acupuncture" means a practitioner licensed under chapter 37.2 of title 5.~~

16 ~~(2) "Coverage for the services of a doctor of acupuncture as a provider of acupuncture~~
17 ~~services" means coverage for acupuncture as defined in § 5-37.2-2(1).~~

18 (c) It shall remain within the sole discretion of the accident and sickness insurer as to
19 which doctor of acupuncture and Oriental medicine it shall contract with. Reimbursement shall be

1 provided according to the respective principles and policies of the accident and sickness insurer;
2 provided, that no accident and sickness insurer may be required to pay for duplicative services
3 actually rendered by a doctor of acupuncture and Oriental medicine and any other health care
4 provider. Nothing contained in this section shall preclude the accident and sickness insurer from
5 conducting managed care, medical necessity or utilization review.

6 (d) Providers. – A group health plan and a health insurance issuer offering group or
7 individual health insurance coverage shall not discriminate with respect to participation under the
8 plan or coverage against any health care provider who is acting within the scope of that provider's
9 license or certification under applicable state law. This section shall not require that a group
10 health plan or health insurance issuer contract with any health care provider willing to abide by
11 the terms and conditions for participation established by the plan or issuer. Nothing in this section
12 shall be construed as preventing a group health plan, or a health insurance issuer, from
13 establishing varying reimbursement rates based on quality or performance measures.

14 SECTION 2. Section 27-19-47 of the General Laws in Chapter 27-19 entitled "Nonprofit
15 Hospital Service Corporations" is hereby amended to read as follows:

16 **27-19-47. ~~Acupuncture services.~~ Acupuncture and Oriental medicine services. --**

17 (a) Every individual or group health insurance contract, plan, or ~~group~~ policy delivered, issued for
18 delivery or renewed in this state which provides medical coverage, and every individual or group
19 policy which provides for treatment of persons for the prevention, cure or correction of any
20 illness or physical or mental condition, shall provide, ~~as an optional rider,~~ coverage for the
21 services, within the scope of practice, of a doctor of acupuncture and Oriental medicine licensed
22 under chapter 37.2 of title 5 as a provider of acupuncture services.

23 (b) ~~For the purposes of this section:~~
24 ~~(1) "Doctor of acupuncture" means a practitioner licensed under chapter 37.2 of title 5.~~
25 ~~(2) "Coverage for the services of a doctor of acupuncture as a provider of acupuncture~~
26 ~~services" means coverage for acupuncture as defined in § 5-37.2-2(1).~~

27 (c) It remains within the sole discretion of the non-profit hospital service corporation as
28 to which doctor of acupuncture and Oriental medicine it shall contract with. Reimbursement is
29 provided according to the respective principles and policies of the non-profit hospital service
30 corporation; provided, that no non-profit hospital service corporation is required to pay for
31 duplicative services actually rendered by a doctor of acupuncture and Oriental medicine and any
32 other health care provider. Nothing contained in this section precludes the non-profit hospital
33 service corporations from conducting managed care, medical necessity or utilization review.

34 (d) Providers. – A group health plan and a health insurance issuer offering group or

1 individual health insurance coverage shall not discriminate with respect to participation under the
2 plan or coverage against any health care provider who is acting within the scope of that provider's
3 license or certification under applicable state law. This section shall not require that a group
4 health plan or health insurance issuer contract with any health care provider willing to abide by
5 the terms and conditions for participation established by the plan or issuer. Nothing in this section
6 shall be construed as preventing a group health plan, or a health insurance issuer, from
7 establishing varying reimbursement rates based on quality or performance measures.

8 SECTION 3. Section 27-20-42 of the General Laws in Chapter 27-20 entitled "Nonprofit
9 Medical Service Corporations" is hereby amended to read as follows:

10 **27-20-42. ~~Acupuncture services.~~ --- Acupuncture and Oriental medicine services. --**

11 (a) Every individual or group health insurance contract, plan, or ~~group~~ policy delivered, issued for
12 delivery or renewed in this state which provides medical coverage, and every individual or group
13 policy which provides for treatment of persons for the prevention, cure or correction of any
14 illness or physical or mental condition shall provide, ~~as an optional rider,~~ coverage for the
15 services, within the scope of practice, of a doctor of acupuncture and Oriental medicine licensed
16 under chapter 37.2 of title 5 as a provider of acupuncture services.

17 (b) ~~For the purposes of this section:~~

18 ~~(1) "Doctor of acupuncture" means a practitioner licensed under chapter 37.2 of title 5.~~

19 ~~(2) "Coverage for the services of a doctor of acupuncture as a provider of acupuncture~~
20 ~~services" means coverage for acupuncture as defined in § 5-37.2-2(1).~~

21 (c) It remains within the sole discretion of the non-profit medical service corporation as
22 to which doctor of acupuncture and Oriental medicine it contracts with. Reimbursement is
23 provided according to the respective principles and policies of the non-profit medical service
24 corporation; provided, that no non-profit medical service corporation may be required to pay for
25 duplicative services actually rendered by a doctor of acupuncture and Oriental medicine and any
26 other health care provider. Nothing contained in this section precludes non-profit medical service
27 corporations from conducting managed care, medical necessity or utilization review.

28 (d) Providers. – A group health plan and a health insurance issuer offering group or
29 individual health insurance coverage shall not discriminate with respect to participation under the
30 plan or coverage against any health care provider who is acting within the scope of that provider's
31 license or certification under applicable state law. This section shall not require that a group
32 health plan or health insurance issuer contract with any health care provider willing to abide by
33 the terms and conditions for participation established by the plan or issuer. Nothing in this section
34 shall be construed as preventing a group health plan, or a health insurance issuer, from

1 [establishing varying reimbursement rates based on quality or performance measures.](#)

2 SECTION 4. Section 27-41-57 of the General Laws in Chapter 27-41 entitled "Health
3 Maintenance Organizations" is hereby amended to read as follows:

4 **27-41-57. ~~Acupuncture services.~~ -- Acupuncture sand Oriental medicine services. --**

5 (a) Every [individual or](#) group health insurance contract, plan, or ~~group~~ policy delivered, issued for
6 delivery or renewed in this state which provides medical coverage, and every [individual or](#) group
7 policy which provides for treatment of persons for the prevention, cure or correction of any
8 illness or physical or mental condition shall provide, ~~as an optional rider,~~ coverage for the
9 services, [within the scope of practice,](#) of a doctor of acupuncture [and Oriental medicine licensed](#)
10 [under chapter 37.2 of title 5](#) ~~as a provider of acupuncture services.~~

11 (b) ~~For the purposes of this section:~~

12 ~~(1) "Doctor of acupuncture" means a practitioner licensed under chapter 37.2 of title 5.~~

13 ~~(2) "Coverage for the services of a doctor of acupuncture as a provider of acupuncture~~
14 ~~services" means coverage for acupuncture as defined in section 5-37.2-2(1).~~

15 (c) It remains within the sole discretion of the health maintenance organization as to
16 which doctor of acupuncture [and Oriental medicine](#) it contracts with. Reimbursement is provided
17 according to the respective principles and policies of the health maintenance organization;
18 provided, that no health maintenance organization is required to pay for duplicative services
19 actually rendered by a doctor of acupuncture [and Oriental medicine](#) and any other health care
20 provider. Nothing contained in this section precludes the health maintenance organization from
21 conducting managed care, medical necessity or utilization review.

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

30 SECTION 5. This act shall take effect on January 1, 2017.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE - HEALTH INSURANCE

1 This act would require health insurance contracts, plans, and policies to provide
2 coverage, rather than as an optional rider, for the services, within the scope of practice, of
3 licensed doctors of acupuncture and Oriental medicine. This act would also prohibit group health
4 plans and health insurance issuers from discriminating with respect to participation under the plan
5 or coverage against any health care provider who is acting within the scope of that provider's
6 license or certification under applicable law.

7 This act would take effect on January 1, 2017.

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