

2016 -- S 2464 SUBSTITUTE A

LC004774/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO INSURANCE - HEALTH INSURANCE

Introduced By: Senator Roger Picard

Date Introduced: February 11, 2016

Referred To: Senate Health & Human Services

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 group health insurance contract, plan, or group policy delivered, issued for delivery or
5 renewed in this state which provides medical coverage, and every group policy which provides
6 for treatment of persons for the prevention, cure or correction of any illness or physical or mental
7 condition, shall provide, as an optional rider, coverage for the services, within the scope of
8 practice, of a doctor of acupuncture and Oriental medicine licensed under chapter 37.2 of title 5
9 ~~as a provider of acupuncture services~~; provided, that this section shall not apply to insurance
10 coverage providing benefits for: (1) hospital confinement indemnity; (2) disability income; (3)
11 accident only; (4) long term care; (5) Medicare supplement; (6) limited benefit health; (7)
12 specified disease indemnity; (8) sickness or bodily injury or death by accident or both; and (9)
13 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 ~~(e)~~(b) 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 (c) 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 group health insurance contract, plan, or group policy delivered, issued for delivery or
18 renewed in this state which provides medical coverage, and every group policy which provides
19 for treatment of persons for the prevention, cure or correction of any illness or physical or mental
20 condition, shall provide, as an optional rider, coverage for the services, within the scope of
21 practice, of a doctor of acupuncture and Oriental medicine licensed under chapter 37.2 of title 5
22 ~~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 ~~(e)~~(b) It remains within the sole discretion of the non-profit hospital service corporation
28 as 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 (c) 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 group health insurance contract, plan, or group policy delivered, issued for delivery or
12 renewed in this state which provides medical coverage, and every group policy which provides
13 for treatment of persons for the prevention, cure or correction of any illness or physical or mental
14 condition shall provide, as an optional rider, coverage for the services, within the scope of
15 practice, of a doctor of acupuncture and Oriental medicine licensed under chapter 37.2 of title 5
16 ~~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 ~~(e)~~(b) It remains within the sole discretion of the non-profit medical service corporation
22 as 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 (c) 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 group health insurance contract, plan, or group policy delivered, issued for delivery or
6 renewed in this state which provides medical coverage, and every group policy which provides
7 for treatment of persons for the prevention, cure or correction of any illness or physical or mental
8 condition shall provide, as an optional rider, coverage for the services, [within the scope of](#)
9 [practice](#), of a doctor of acupuncture [and Oriental medicine licensed under chapter 37.2 of title 5](#)
10 ~~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 ~~(e)~~(b) 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 [\(c\) 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 prohibit health insurance insurers from discriminating against any health
2 care provider, who is acting within the scope of their license or certification, concerning
3 participation and coverage in their plan.

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

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