

**2017 -- S 0789 SUBSTITUTE A**

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LC002439/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2017**

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A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Senators Lombardo, DiPalma, Nesselbush, Lynch Prata, and McCaffrey

Date Introduced: April 25, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

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

3           **27-18-83. Coverage for evidence-based non-opioid treatment for pain.**

4           Notwithstanding any other provision of law, when any health insurance policy, health  
5 care services plan, or other contract provides for the payment for medical expense benefits or  
6 procedures related to the treatment of pain, such policy, plan, or contract shall be construed to  
7 include outpatient chiropractic medical service benefits or procedures for evidence-based non-  
8 opioid treatment for pain that are within the scope of a chiropractor's license, and osteopathic  
9 manipulative treatment performed by an individual licensed under §5-37-2. Said coverage shall  
10 be based upon a determination of medical necessity.

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

13          **27-19-74. Coverage for evidence-based non-opioid treatment for pain.**

14          Notwithstanding any other provision of law, when any health insurance policy, health  
15 care services plan, or other contract provides for the payment for medical expense benefits or  
16 procedures related to the treatment of pain, such policy, plan, or contract shall be construed to  
17 include outpatient chiropractic medical service benefits or procedures for evidence-based non-  
18 opioid treatment for pain that are within the scope of a chiropractor's license, and osteopathic  
19 manipulative treatment performed by an individual licensed under §5-37-2. Said coverage shall

1 [be based upon a determination of medical necessity.](#)

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

4 **27-20-70. Coverage for evidence-based non-opioid treatment for pain.**

5 [Notwithstanding any other provision of law, when any health insurance policy, health  
6 care services plan, or other contract provides for the payment for medical expense benefits or  
7 procedures related to the treatment of pain, such policy, plan, or contract shall be construed to  
8 include outpatient chiropractic medical service benefits or procedures for evidence-based non-  
9 opioid treatment for pain that are within the scope of a chiropractor's license, and osteopathic  
10 manipulative treatment performed by an individual licensed under §5-37-2. Said coverage shall  
11 be based upon a determination of medical necessity.](#)

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

14 **27-41-87. Coverage for evidence-based non-opioid treatment for pain.**

15 [Notwithstanding any other provision of law, when any health insurance policy, health  
16 care services plan, or other contract provides for the payment for medical expense benefits or  
17 procedures related to the treatment of pain, such policy, plan, or contract shall be construed to  
18 include outpatient chiropractic medical service benefits or procedures for evidence-based non-  
19 opioid treatment for pain that are within the scope of a chiropractor's license, and osteopathic  
20 manipulative treatment performed by an individual licensed under §5-37-2. Said coverage shall  
21 be based upon a determination of medical necessity.](#)

22 SECTION 5. Section 27-38.2-1 of the General Laws in Chapter 27-38.2 entitled  
23 "Insurance Coverage for Mental Illness and Substance Abuse" is hereby amended to read as  
24 follows:

25 **27-38.2-1. Coverage for the treatment of mental health and substance use disorders.**

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

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

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

1 (d) Coverage shall not impose non-quantitative treatment limitations for the treatment of  
2 mental health and substance-use disorders unless the processes, strategies, evidentiary standards,  
3 or other factors used in applying the non-quantitative treatment limitation, as written and in  
4 operation, are comparable to, and are applied no more stringently than, the processes, strategies,  
5 evidentiary standards, or other factors used in applying the limitation with respect to  
6 medical/surgical benefits in the classification.

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

10 (f) Medication-assisted treatment or medication-assisted maintenance services of  
11 substance-use disorders, opioid overdoses, and chronic addiction, including methadone,  
12 buprenorphine, naltrexone, or other clinically appropriate medications, is included within the  
13 appropriate classification based on the site of the service.

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

16 [\(h\) Patients with substance use disorders shall have access to evidence-based non-opioid](#)  
17 [treatment for pain, therefore coverage shall apply to medically necessary chiropractic care, and](#)  
18 [osteopathic manipulative treatment performed by an individual licensed under §5-37-2.](#)

19 SECTION 6. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

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- 1           This act would require insurance reimbursement for medically necessary evidence-based
- 2   chiropractic and osteopathic non-opioid treatments for pain.
- 3           This act would take effect upon passage.

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