

2018 -- H 7368

LC004005

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO INSURANCE -- COMMUNICATION ACCESS SERVICES

Introduced By: Representatives Handy, Vella-Wilkinson, Nardolillo, Ajello, and Almeida

Date Introduced: January 31, 2018

Referred To: House Health, Education & Welfare

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 **27-18-84. Communication access services.**

4 (a) Every individual or group health insurance contract, or every individual or group
5 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
6 or renewed in this state on or after January 1, 2019, shall provide coverage for effective
7 communication access services for the deaf and hard-of-hearing insured patients or identified
8 clients.

9 (b) For the purposes of this section:

10 (1) "Communication access services" means any effective communication access
11 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities
12 Act to guarantee full communication access between the patients or identified clients who are
13 deaf and hard of hearing and doctors or other health care professionals to ensure that each party is
14 understood regarding their health needs and treatments. Effective communication access services
15 shall include, but are not limited to:

16 (i) Interpreters for the deaf;

17 (ii) Communication access real-time translation (CART) service;

18 (iii) Remote video interpreting service for the deaf; and

19 (iv) Remote CART service.

1 (c) This section shall not apply to equipment purchased as part of communication access
2 accommodations, to include, but not limited to:

3 (1) TTYs, videophones, assistive listening devices.

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

6 **27-19-76. Communication access services.**

7 (a) Every individual or group health insurance contract, or every individual or group
8 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
9 or renewed in this state on or after January 1, 2019, shall provide coverage for effective
10 communication access services for the deaf and hard-of-hearing insured patients or identified
11 clients.

12 (b) For the purposes of this section:

13 (1) "Communication access services" means any effective communication access
14 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities
15 Act to guarantee full communication access between the patients or identified clients who are
16 deaf and hard of hearing and doctors or other health care professionals to ensure that each party is
17 understood regarding their health needs and treatments. Effective communication access services
18 shall include, but are not limited to:

19 (i) Interpreters for the deaf;

20 (ii) Communication access real-time translation (CART) service;

21 (iii) Remote video interpreting service for the deaf; and

22 (iv) Remote CART service.

23 (c) This section shall not apply to equipment purchased as part of communication access
24 accommodations, to include, but not limited to:

25 (1) TTYs, videophones, assistive listening devices.

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

28 **27-20-72. Communication access services.**

29 (a) Every individual or group health insurance contract, or every individual or group
30 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
31 or renewed in this state on or after January 1, 2019, shall provide coverage for effective
32 communication access services for the deaf and hard-of-hearing insured patients or identified
33 clients.

34 (b) For the purposes of this section:

1 (1) "Communication access services" means any effective communication access
2 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities
3 Act to guarantee full communication access between the patients or identified clients who are
4 deaf and hard of hearing and doctors or other health care professionals to ensure that each party is
5 understood regarding their health needs and treatments. Effective communication access services
6 shall include, but are not limited to:

7 (i) Interpreters for the deaf;

8 (ii) Communication access real-time translation (CART) service;

9 (iii) Remote video interpreting service for the deaf; and

10 (iv) Remote CART service.

11 (c) This section shall not apply to equipment purchased as part of communication access
12 accommodations, to include, but not limited to:

13 (1) TTYs, videophones, assistive listening devices.

14 SECTION 4. Chapter 27-38.2 of the General Laws entitled "Insurance Coverage for
15 Mental Illness and Substance Abuse" is hereby amended by adding thereto the following section:

16 **27-38.2-6. Communication access services.**

17 (a) Every individual or group health insurance contract, or every individual or group
18 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
19 or renewed in this state on or after January 1, 2019, shall provide coverage for effective
20 communication access services for the deaf and hard-of-hearing insured patients or identified
21 clients.

22 (b) For the purposes of this section:

23 (1) "Communication access services" means any effective communication access
24 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities
25 Act to guarantee full communication access between the patients or identified clients who are
26 deaf and hard of hearing and doctors or other health care professionals to ensure that each party is
27 understood regarding their health needs and treatments. Effective communication access services
28 shall include, but are not limited to:

29 (i) Interpreters for the deaf;

30 (ii) Communication access real-time translation (CART) service;

31 (iii) Remote video interpreting service for the deaf; and

32 (iv) Remote CART service.

33 (c) This section shall not apply to equipment purchased as part of communication access
34 accommodations, to include, but not limited to:

1 (1) TTYs, videophones, assistive listening devices.

2 SECTION 5. Chapter 27-41 of the General Laws entitled "Health Maintenance
3 Organizations" is hereby amended by adding thereto the following section:

4 **27-41-89. Communication access services.**

5 (a) Every individual or group health insurance contract, or every individual or group
6 hospital or medical expense insurance policy, plan, or group policy delivered, issued for delivery,
7 or renewed in this state on or after January 1, 2019, shall provide coverage for effective
8 communication access services for the deaf and hard-of-hearing insured patients or identified
9 clients.

10 (b) For the purposes of this section:

11 (1) "Communication access services" means any effective communication access
12 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities
13 Act to guarantee full communication access between the patients or identified clients who are
14 deaf and hard of hearing and doctors or other health care professionals to ensure that each party is
15 understood regarding their health needs and treatments. Effective communication access services
16 shall include, but are not limited to:

17 (i) Interpreters for the deaf;

18 (ii) Communication access real-time translation (CART) service;

19 (iii) Remote video interpreting service for the deaf; and

20 (iv) Remote CART service.

21 (c) This section shall not apply to equipment purchased as part of communication access
22 accommodations, to include, but not limited to:

23 (1) TTYs, videophones, assistive listening devices.

24 SECTION 6. This act shall take effect on January 1, 2019.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO INSURANCE -- COMMUNICATION ACCESS SERVICES

1 This act would require health insurance plans to include coverage for effective
2 communication access services between patients who are deaf and their health care professionals
3 in order to ensure that their health needs and treatments are clearly communicated and
4 understood.

5 This act would take effect on January 1, 2019.

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