

2022 -- H 8157

LC005791

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO INSURANCE -- INSURANCE COVERAGE FOR MENTAL ILLNESS AND
SUBSTANCE ABUSE

Introduced By: Representatives Tanzi, Cortvriend, Kislak, Potter, Giraldo, Felix,
Baginski, McGaw, Messier, and Kazarian

Date Introduced: April 14, 2022

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-38.2 of the General Laws entitled "Insurance Coverage for Mental
2 Illness and Substance Abuse" is hereby amended by adding thereto the following section:

3 **27-38.2-6. Reimbursement rate parity for mental health and substance use disorders.**

4 (a) Every individual or group health insurance contract, plan or policy delivered, issued for
5 delivery or renewed in this state on or after January 1, 2023, shall increase the rate of reimbursement
6 for each in-network outpatient behavioral health care service that is reimbursed below the median
7 commercial reimbursement rate by July 1, 2023. Such increase in reimbursement rates shall be in
8 an amount sufficient to increase reimbursement rates to the median value.

9 (b) Median commercial insurance reimbursement rates for each in-network outpatient
10 behavioral health care service shall be determined by the office of the health insurance
11 commissioner by January 1, 2023.

12 (c) Effective January 1, 2024, and annually thereafter through 2028, commercial in-
13 network outpatient behavioral health care service reimbursement rates shall increase no less than
14 the rate of inflation measured by the change in the Consumer Price Index for All Urban Consumers,
15 Less Food and Energy, plus three (3) percentage points.

16 (d) The change in the Consumer Price Index for All Urban Consumers, Less Food and
17 Energy shall be determined by the office of the health insurance commissioner no later than three
18 (3) months prior to the beginning of the next calendar year based on analysis of data published by

1 [the United States Bureau of Labor Statistics.](#)

2 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 increase the rate of reimbursement for each in-network outpatient
2 behavioral health care service that is reimbursed below the median commercial reimbursement rate
3 by July 1, 2023, to the median value, for contracts, plans or policies delivered, issued or renewed
4 on or after January 1, 2023. This act would also require that the office of the health insurance
5 commissioner establish the median commercial insurance reimbursement rates for each in-network
6 outpatient behavioral health care service by January 1, 2023. Additionally, the act would mandate
7 an annual increase in the rates for the years 2024 to 2028 no less than the rate of inflation plus three
8 (3) percentage points determined three (3) months prior to the beginning of the next calendar year
9 based on the Federal Consumer Price Index for All Urban Consumers, Less Food and Energy
10 published by the United States Bureau of Labor Statistics.

11 This act would take effect upon passage.

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