

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO INSURANCE -- HEALTH CARE ACCESSIBILITY AND QUALITY  
ASSURANCE ACT

Introduced By: Senators Lauria, Miller, DiPalma, Euer, DiMario, Lawson, Valverde,  
Murray, and Kallman

Date Introduced: March 07, 2023

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18.8 of the General Laws entitled "Health Care Accessibility and  
2 Quality Assurance Act" is hereby amended by adding thereto the following section:

3 **27-18.8-11. Contracts with providers for mental health and substance use disorder**  
4 **services.**

5 (a) Before January 1, 2024, and whenever necessitated by changes thereafter, but no less  
6 frequently than annually, each healthcare entity or network plan shall compile and report to the  
7 office of the health insurance commissioner a summary of how the healthcare entity or network  
8 plan requires its contracted providers to submit claims for in-network outpatient behavioral health  
9 services, including through the use of particular current procedural terminology (CPT) codes  
10 specific to behavioral health services, through the use of modifiers particular to behavioral health  
11 services appended to CPT codes of general usage, or through other formal requirements which  
12 identify a particular claim as pertaining to in-network outpatient behavioral health services.

13 (b) A healthcare entity or network plan shall include in every contract with a provider for  
14 in-network outpatient behavioral health (including substance use disorder) services, or for  
15 outpatient diagnostic or therapeutic services with a behavioral health (including substance use  
16 disorder) modifier, a provision that, as of January 1, 2024, rates paid under such contract for those  
17 services shall be subject to a one-time average increase of no less than the United States Department  
18 of Labor All Urban Consumer All Items Less Food and Energy CPI ("CPI-Urban") percentage

1 [increase \(determined by the health insurance commissioner by October 1, 2023, based on the most](#)  
2 [recently published United States Department of Labor data as of that date\) plus five percent \(5%\).](#)

3 SECTION 2. 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 -- HEALTH CARE ACCESSIBILITY AND QUALITY  
ASSURANCE ACT

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1           This act would require each healthcare entity or network plan to compile and report to the  
2 health insurance commissioner a summary of how the healthcare entity or network plan requires  
3 its contracted providers to submit claims for in-network outpatient behavioral health services,  
4 before January 1, 2024, and at least annually thereafter and require rates paid under those contracts  
5 for services be increased by the rate of inflation as of October 1, 2023, plus five percent (5%).

6           This act would take effect upon passage.

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