

**2017 -- S 0329 SUBSTITUTE A**

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LC001270/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 -- INSURANCE COVERAGE FOR MENTAL ILLNESS AND  
SUBSTANCE ABUSE

Introduced By: Senators Miller, Goldin, Satchell, Sosnowski, and Goodwin

Date Introduced: February 16, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

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

4           **27-38.2-1. Coverage for the treatment of mental health and substance use disorders.**

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

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

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

14           (d) Coverage shall not impose non-quantitative treatment limitations for the treatment of  
15 mental health and substance-use disorders unless the processes, strategies, evidentiary standards,  
16 or other factors used in applying the non-quantitative treatment limitation, as written and in  
17 operation, are comparable to, and are applied no more stringently than, the processes, strategies,  
18 evidentiary standards, or other factors used in applying the limitation with respect to

1 medical/surgical benefits in the classification.

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

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

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

11 (h) Consistent with coverage for medical and surgical services, patients with mental  
12 health and/or substance-use disorders are presumptively eligible for emergency admission  
13 practices, including any appropriate inpatient services. After an appropriate psychiatric  
14 assessment, if a qualified medical professional determines that continued residential or inpatient  
15 care is clinically necessary care for a patient, that professional will submit a treatment plan,  
16 including an estimated length of stay, to the patient's payor for authorization of payment. A  
17 patient will remain presumptively eligible for residential or inpatient services during the payment  
18 authorization period. The office of the health insurance commissioner shall promulgate  
19 regulations that define reasonable payment authorization procedures and timelines for payors.

20 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 provide that patients with mental health and/or substance-use disorders  
2 are presumptively eligible for emergency admission practices, including any appropriate inpatient  
3 services.

4           This act would take effect upon passage.

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