

2019 -- S 0301 SUBSTITUTE A

LC001022/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

**RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE
AND DISCIPLINE**

Introduced By: Senators Sheehan, Crowley, Nesselbush, Metts, and Picard

Date Introduced: February 13, 2019

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-17 of the General Laws entitled "Licensing of Health-Care
2 Facilities" is hereby amended by adding thereto the following section:

3 **23-17-53.1. Election as to participation in continued board certification programs.**

4 Definitions. As used in this section:

5 (1) "Continued board certification" means an ongoing recertification program through
6 which physicians are recertified by one or more of the national and/or regional medical boards,
7 which includes but is not limited to one or more of the medical specialty boards of the American
8 Board of Medical Specialties, the American Osteopathic Association, the National Board of
9 Physicians and Surgeons, or any other board approved by a majority vote of a hospital medical
10 staff. Continued board certification is separate from and in addition to any recertification and
11 continuing medical education requirements required pursuant to § 5-37-2.1.

12 (2) "Hospital" has the same meaning as defined in § 23-17-2.

13 (3) "Physician" has the same meaning as defined in § 5-37-1.

14 (b) Continued board certification by hospital physicians:

15 If continued board certification is required of a physician in order to be credentialed at a
16 given hospital, that hospital must accept a physician's chosen continued board certification
17 program(s) as defined in subsection (a)(1) of this section.

18 SECTION 2. Chapter 5-37 of the General Laws entitled "Board of Medical Licensure and

1 Discipline" is hereby amended by adding thereto the following section:

2 **5-37-2.2. Prohibition of board certification requirement to practice medicine.**

3 Notwithstanding any provision of this chapter to the contrary, the board of medical
4 licensing and discipline shall not, by order, rule, or other method, require a physician applicant or
5 physician licensee under its jurisdiction to obtain or maintain a national and/or regional board
6 certification that is not otherwise specifically required in this chapter before it issues a license or
7 license renewal to that physician applicant or physician licensee under this chapter.

8 SECTION 3. Chapter 27-20.6 of the General Laws entitled "Health Care Insurers -
9 Coordination of Benefits" is hereby amended by adding thereto the following section:

10 **27-20.6-3.1. Continued board certification not to be considered in coordination of**
11 **benefits.**

12 A health care insurer shall not deny reimbursement or discriminate in reimbursement
13 rates to a physician or hospital, nor prevent a physician or hospital from participating in any of
14 the insurer's provider networks, based on a physician's decision whether or not to participate in a
15 national and/or regional continued board certification program pursuant to § 23-17-53.1. If a
16 physician does participate in a national and/or regional continued board certification program, a
17 health care insurer shall not deny reimbursement or discriminate in reimbursement rates based
18 upon the particular program(s) that is chosen.

19 SECTION 4. 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 if a hospital requires continued board certification by a
2 physician in order for that physician to be credentialed by the hospital that hospital would have to
3 accept a national and/or regional continued board certification program or programs from those
4 programs approved by a majority vote of a hospital medical staff. In addition, the act prohibits the
5 board of medical licensing and discipline from requiring specialty board certification as a
6 condition of licensure. This act also provides that a health care insurer would not deny
7 reimbursement or discriminate in reimbursement rates to a physician or hospital, based on a
8 physician's decision whether or not to participate in a national continued board certification
9 program.

10 This act would take effect upon passage.

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