

2023 -- H 5744

LC000252

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Morales, Alzate, McGaw, Carson, Cruz, Kislak, Tanzi,
Giraldo, Donovan, and Kennedy

Date Introduced: February 21, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness Insurance
2 Policies" is hereby amended by adding thereto the following section:

3 **27-18-91. Mandatory coverage for treatment of pre-exposure prophylaxis (PrEP) for**
4 **the prevention of HIV and post-exposure prophylaxis to prevent HIV infection.**

5 (a) Every group health insurance contract, or every group hospital or medical expense
6 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
7 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
8 pre-exposure prophylaxis (PrEP) for the prevention of HIV and post-exposure prophylaxis (PEP)
9 to prevent HIV infection.

10 (b) The healthcare benefits outlined in this section apply only to services delivered within
11 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
12 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
13 can be established through a pre-authorization process that the required services are not available
14 in the state of Rhode Island from a provider in the health insurance carrier's network.

15 (c) Each health insurance carrier shall collect and provide to the office of the health
16 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
17 data reflecting the costs and the savings of adding the benefit coverage provided in this section.

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

1 **27-19-83. Mandatory coverage for treatment of pre-exposure prophylaxis (PrEP) for**
2 **the prevention of HIV and post-exposure prophylaxis to prevent HIV infection.**

3 (a) Every group health insurance contract, or every group hospital or medical expense
4 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
5 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
6 pre-exposure prophylaxis (PrEP) for the prevention of HIV and post-exposure prophylaxis (PEP)
7 to prevent HIV infection.

8 (b) The healthcare benefits outlined in this section apply only to services delivered within
9 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
10 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
11 can be established through a pre-authorization process that the required services are not available
12 in the state of Rhode Island from a provider in the health insurance carrier's network.

13 (c) Each health insurance carrier shall collect and provide to the office of the health
14 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
15 data reflecting the costs and the savings of adding the benefit coverage provided in this section.

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

18 **27-20-79. Mandatory coverage for treatment of pre-exposure prophylaxis (PrEP) for**
19 **the prevention of HIV and post-exposure prophylaxis to prevent HIV infection.**

20 (a) Every group health insurance contract, or every group hospital or medical expense
21 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
22 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
23 pre-exposure prophylaxis (PrEP) for the prevention of HIV and post-exposure prophylaxis (PEP)
24 to prevent HIV infection.

25 (b) The healthcare benefits outlined in this section apply only to services delivered within
26 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
27 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
28 can be established through a pre-authorization process that the required services are not available
29 in the state of Rhode Island from a provider in the health insurance carrier's network.

30 (c) Each health insurance carrier shall collect and provide to the office of the health
31 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
32 data reflecting the costs and the savings of adding the benefit coverage provided in this section.

33 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
34 Organizations" is hereby amended by adding thereto the following section:

1 **27-41-96. Mandatory coverage for treatment of pre-exposure prophylaxis (PrEP) for**
2 **the prevention of HIV and post-exposure prophylaxis to prevent HIV infection.**

3 (a) Every group health insurance contract, or every group hospital or medical expense
4 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
5 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
6 pre-exposure prophylaxis (PrEP) for the prevention of HIV and post-exposure prophylaxis (PEP)
7 to prevent HIV infection.

8 (b) The healthcare benefits outlined in this section apply only to services delivered within
9 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
10 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
11 can be established through a pre-authorization process that the required services are not available
12 in the state of Rhode Island from a provider in the health insurance carrier's network.

13 (c) Each health insurance carrier shall collect and provide to the office of the health
14 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
15 data reflecting the costs and the savings of adding the benefit coverage provided in this section.

16 SECTION 5. This act shall take effect upon passage.

=====
LC000252
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

1 This act would require coverage for the treatment of pre-exposure prophylaxis (PrEP) for
2 the prevention of HIV and post-exposure prophylaxis (PEP) to prevent HIV infection, commencing
3 January 1, 2024.

4 This act would take effect upon passage.

=====
LC000252
=====