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LC01922  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO INSURANCE

Introduced By: Representative Joseph M. McNamara

Date Introduced: February 28, 2012

Referred To: House Corporations

It is enacted by the General Assembly as follows:

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

3 **27-18-71. Copayment and deductible responsibility. -- Notwithstanding any other**  
4 **provision of the general laws to the contrary, every policy delivered or issued in this state and**  
5 **every individual or group hospital or medical services plan contract delivered or renewed in this**  
6 **state on or after October 1, 2012 shall require insurers to reimburse hospitals and all licensed**  
7 **health care providers for the entire negotiated payment rate for each service provided by or on**  
8 **behalf of the hospital, including, without limitation, deductibles, copayments or any other form of**  
9 **patient financial responsibility. Any and all deductibles, copayments or other forms of patient**  
10 **financial responsibility established under individual or group hospital or medical services plan**  
11 **contracts will be collected from the insured by the insurer unless a hospital or licensed health care**  
12 **provider voluntarily agrees to assume such responsibility for the insurer.**

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

15 **27-19-5.4. Copayment and deductible responsibility. -- Notwithstanding any other**  
16 **provision of the general laws to the contrary, from and after October 1, 2012 every nonprofit**  
17 **hospital service corporation shall reimburse hospitals and all licensed health care providers for**  
18 **the entire negotiated payment rate for each service provided by or on behalf of the hospital,**  
19 **including, without limitation, deductibles, copayments or any other form of patient financial**

1 responsibility. Any and all deductibles, copayments or other forms of patient financial  
2 responsibility established under nonprofit hospital service corporation contracts will be collected  
3 from the insured by the nonprofit hospital service corporation unless a hospital or licensed  
4 healthcare worker voluntarily agrees to assume such responsibility for the nonprofit hospital  
5 service corporation.

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

8 **27-20-5.4. Copayment and deductible responsibility.** -- Notwithstanding any other  
9 provision of the general laws to the contrary, from and after October 1, 2012 every nonprofit  
10 medical service corporation shall reimburse hospitals and all licensed health care providers for  
11 the entire negotiated payment rate for each service provided by or on behalf of the hospital,  
12 including, without limitation, deductibles, copayments or any other form of patient financial  
13 responsibility. Any and all deductibles, copayments or other forms of patient financial  
14 responsibility established under nonprofit medical service corporation contracts will be collected  
15 from the insured by the nonprofit medical service corporation unless a hospital or licensed health  
16 care provider voluntarily agrees to assume such responsibility for the nonprofit medical service  
17 corporation.

18 SECTION 4. Chapter 27-20.1 of the General Laws entitled "Nonprofit Dental Service  
19 Corporations" is hereby amended by adding thereto the following section:

20 **27-20.1-3.1. Copayment and deductible responsibility.** -- Notwithstanding any other  
21 provision of the general laws to the contrary, from and after October 1, 2012 every nonprofit  
22 dental service corporation shall reimburse hospitals and all licensed health care providers for the  
23 entire negotiated payment rate for each service provided by or on behalf of the hospital,  
24 including, without limitation, deductibles, copayments or any other form of patient financial  
25 responsibility. Any and all deductibles, copayments or other forms of patient financial  
26 responsibility established under nonprofit dental service corporation contracts will be collected  
27 from the insured by the nonprofit dental service corporation unless a hospital or licensed health  
28 care provider voluntarily agrees to assume such responsibility for the nonprofit dental service  
29 corporation.

30 SECTION 5. Chapter 27-20.2 of the General Laws entitled "Nonprofit Optometric  
31 Service Corporations" is hereby amended by adding thereto the following section:

32 **27-20.2-3.1. Copayment and deductible responsibility.** -- Notwithstanding any other  
33 provision of the general laws to the contrary, from and after October 1, 2012 every nonprofit  
34 optometric service corporation shall reimburse hospitals and all licensed health care providers for

1 the entire negotiated payment rate for each service provided by or on behalf of the hospital or  
2 licensed health care provider, including, without limitation, deductibles, copayments or any other  
3 form of patient financial responsibility. Any and all deductibles, copayments or other forms of  
4 patient financial responsibility established under nonprofit optometric service corporation  
5 contracts will be collected from the insured by the nonprofit optometric service corporation  
6 unless a hospital or licensed health care provider voluntarily agrees to assume such responsibility  
7 for the nonprofit optometric service corporation.

8 SECTION 6. Chapter 27-41 of the General Laws entitled "Health Maintenance  
9 Organizations" is hereby amended by adding thereto the following section:

10 **27-41-26.2. Copayment and deductible responsibility.** -- Notwithstanding any other  
11 provision of the general laws to the contrary, from and after October 1, 2012 every health  
12 maintenance organization shall reimburse hospitals and all licensed health care providers for the  
13 entire negotiated payment rate for each service provided by or on behalf of the hospital,  
14 including, without limitation, deductibles, copayments or any other form of patient financial  
15 responsibility. Any and all deductibles, copayments or other forms of patient financial  
16 responsibility established under health maintenance organization contracts will be collected from  
17 the insured by the health maintenance organization unless a hospital or licensed health care  
18 provider voluntarily agrees to assume such responsibility for the health maintenance organization.

19 SECTION 7. 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

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1           This act would require insurers to reimburse health care providers for entire negotiated  
2 payment rates including, without limitation, deductibles, copayments and other forms of patient  
3 financial responsibility with such deductibles and copayments to be, unless otherwise agreed,  
4 collected from the insured by the insurer.

5           This act would take effect upon passage.

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