

2015 -- H 5046

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO INSURANCE - HEALTH INSURANCE

Introduced By: Representatives McNamara, Azzinaro, Shekarchi, Corvese, and Malik

Date Introduced: January 08, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-48 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-48. Third party reimbursement for services of certain health care workers. --**

4 (a) Every individual or group hospital or medical services plan contract delivered, issued or
5 renewed by an insurer or nonprofit or for profit health service corporation which provides
6 benefits to individual subscribers and members within the state, or to all group members having a
7 principal place of employment within the state, shall provide benefits for services rendered by a
8 certified registered nurse anesthetist designated as a certified registered nurse anesthetist by the
9 board of nurse registration and nursing education; provided, that the following conditions are met:

10 (1) ~~The certified registered nurse anesthetist provides certain health care services under~~
11 ~~the supervision of anesthesiologists, licensed physicians or licensed dentists in accordance with~~
12 ~~section 5-34.2-2(c), which requires substantial specialized knowledge, judgment and skill related~~
13 ~~to the administration of anesthesia, including pre-operative and post-operative assessment of~~
14 ~~patients; administering anesthetics; monitoring patients during anesthesia; management of fluids~~
15 ~~in intravenous therapy and management of respiratory care;~~ The certified registered nurse
16 anesthetist adheres to the practice of certified registered nurse anesthesia as defined by and in
17 accordance with § 5-34.2-2.

18 (2) The policy or contract currently provides benefits for identical services rendered by a
19 provider of health care licensed by the state; and

1 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
2 hospital or facility for which the accident and sickness insurer has an alternative contractual
3 relationship to fund the services of a certified registered nurse anesthetist.

4 (b) It shall remain within the sole discretion of the health maintenance organization as to
5 which certified registered nurse anesthetists it shall contract with. Reimbursement shall be
6 provided according to the respective principles and policies of the health maintenance
7 organization; provided, that no health maintenance organization may be required to pay for
8 duplicative services actually rendered by a certified registered nurse anesthetist and any other
9 health care provider. Nothing contained in this section shall preclude the health maintenance
10 organization from conducting managed care, medical necessity or utilization review.

11 (c) Providers. -- A group health plan and a health insurance issuer offering group or
12 individual health insurance coverage shall not discriminate with respect to participation under the
13 plan or coverage against any health care provider who is acting within the scope of that provider's
14 license or certification under applicable state law. This section shall not require that a group
15 health plan or health insurance issuer contract with any health care provider willing to abide by
16 the terms and conditions for participation established by the plan or issuer. Nothing in this section
17 shall be construed as preventing a group health plan, or a health insurance issuer, from
18 establishing varying reimbursement rates based on quality or performance measures.

19 SECTION 2. Section 27-19-40 of the General Laws in Chapter 27-19 entitled "Nonprofit
20 Hospital Service Corporations" is hereby amended to read as follows:

21 **27-19-40. Third party reimbursement for services of certain health care workers. --**

22 (a) Every individual or group health insurance contract, plan or policy delivered, issued or
23 renewed by an insurer or nonprofit or for profit health service corporation which provides
24 benefits to individual subscribers and members within the state, or to all group members having a
25 principal place of employment within the state, shall provide benefits for services rendered by a
26 certified registered nurse anesthetist designated as a certified registered nurse anesthetist by the
27 board of nurse registration and nursing education; provided, that the following conditions are met:

28 (1) The certified registered nurse anesthetist ~~provides certain health care services under~~
29 ~~the supervision of anesthesiologists, licensed physicians or licensed dentists in accordance with~~
30 ~~section 5-34.2-2(e), which requires substantial specialized knowledge, judgment and skill related~~
31 ~~to the administration of anesthesia, including pre-operative and post-operative assessment of~~
32 ~~patients; administering anesthetics, monitoring patients during anesthesia; management of fluids~~
33 ~~in intravenous therapy and management of respiratory care;~~ adheres to the practice of certified
34 registered nurse anesthesia as defined by and in accordance with § 5-34.2-2.

1 (2) The policy or contract currently provides benefits for identical services rendered by a
2 provider of health care licensed by the state; and

3 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
4 hospital or facility for which the nonprofit hospital service corporation has an alternative
5 contractual relationship to fund the services of a certified registered nurse anesthetist.

6 (b) It shall remain within the sole discretion of the nonprofit hospital service corporation
7 as to which certified registered nurse anesthetists it shall contract with. Reimbursement shall be
8 provided according to the respective principles and policies of the nonprofit hospital service
9 corporation; provided, that no nonprofit hospital service corporation may be required to pay for
10 duplicative services actually rendered by a certified registered nurse anesthetist and any other
11 health care provider. Nothing contained in this section shall preclude the nonprofit hospital
12 service corporation from conducting managed care, medical necessity or utilization review.

13 (c) Providers. -- A group health plan and a health insurance issuer offering group or
14 individual health insurance coverage shall not discriminate with respect to participation under the
15 plan or coverage against any health care provider who is acting within the scope of that provider's
16 license or certification under applicable state law. This section shall not require that a group
17 health plan or health insurance issuer contract with any health care provider willing to abide by
18 the terms and conditions for participation established by the plan or issuer. Nothing in this section
19 shall be construed as preventing a group health plan, or a health insurance issuer, from
20 establishing varying reimbursement rates based on quality or performance measures.

21 SECTION 3. Section 27-20-35 of the General Laws in Chapter 27-20 entitled "Nonprofit
22 Medical Service Corporations" is hereby amended to read as follows:

23 **27-20-35. Third party reimbursement for services of certain health care workers. --**

24 (a) Every individual or group health insurance contract, plan or policy delivered, issued or
25 renewed by an insurer or nonprofit or for profit health service corporation which provides
26 benefits to individual subscribers and members within the state, or to all group members having a
27 principal place of employment within the state, shall provide benefits for services rendered by a
28 certified registered nurse anesthetist designated as a certified registered nurse anesthetist by the
29 board of nurse registration and nursing education; provided, that the following conditions are met:

30 (1) The certified registered nurse anesthetist ~~provides certain health care services under~~
31 ~~the supervision of anesthesiologists, licensed physicians or licensed dentists in accordance with~~
32 ~~section 5-34.2-2(e), which requires substantial specialized knowledge, judgment and skill related~~
33 ~~to the administration of anesthesia, including pre-operative and post-operative assessment of~~
34 ~~patients; administering anesthetics; monitoring patients during anesthesia; management of fluids~~

1 ~~in intravenous therapy and management of respiratory care;~~ adheres to the practice of certified
2 registered nurse anesthesia as defined by and in accordance with § 5-34.2-2.

3 (2) The policy or contract currently provides benefits for identical services rendered by a
4 provider of health care licensed by the state; and

5 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
6 hospital or facility for which the nonprofit medical service corporation has an alternative
7 contractual relationship to fund the services of a certified registered nurse anesthetist.

8 (b) It shall remain within the sole discretion of the nonprofit medical service corporation
9 as to which certified registered nurse anesthetists it shall contract with. Reimbursement shall be
10 provided according to the respective principles and policies of the nonprofit medical service
11 corporation; provided, that no nonprofit medical service corporation may be required to pay for
12 duplicative services actually rendered by a certified registered nurse anesthetist and any other
13 health care provider. Nothing contained in this section shall preclude the nonprofit medical
14 service corporation from conducting managed care, medical necessity or utilization review.

15 (c) Providers. -- A group health plan and a health insurance issuer offering group or
16 individual health insurance coverage shall not discriminate with respect to participation under the
17 plan or coverage against any health care provider who is acting within the scope of that provider's
18 license or certification under applicable state law. This section shall not require that a group
19 health plan or health insurance issuer contract with any health care provider willing to abide by
20 the terms and conditions for participation established by the plan or issuer. Nothing in this section
21 shall be construed as preventing a group health plan, or a health insurance issuer, from
22 establishing varying reimbursement rates based on quality or performance measures.

23 SECTION 4. Section 27-41-49 of the General Laws in Chapter 27-41 entitled "Health
24 Maintenance Organizations" is hereby amended to read as follows:

25 **27-41-49. Third party reimbursement for services of certain health care workers. --**

26 (a) Every individual or group health insurance contract, plan or policy delivered, issued or
27 renewed by an insurer, health maintenance organization, nonprofit or for profit health service
28 corporation which provides benefits to individual subscribers and members within the state, or to
29 all group members having a principal place of employment within the state, shall provide benefits
30 for services rendered by a certified registered nurse anesthetist designated as a certified registered
31 nurse anesthetist by the board of nurse registration and nursing education; provided, that the
32 following conditions are met:

33 (1) The certified registered nurse anesthetist ~~provides certain health care services under~~
34 ~~the supervision of anesthesiologists, licensed physicians or licensed dentists in accordance with~~

1 ~~section 5-34.2-2(c), which requires substantial specialized knowledge, judgment and skill related~~
2 ~~to the administration of anesthesia, including pre-operative and post-operative assessment of~~
3 ~~patients; administering anesthetics; monitoring patients during anesthesia; management of fluids~~
4 ~~in intravenous therapy and management of respiratory care;~~ adheres to the practice of certified
5 registered nurse anesthesia as defined by and in accordance with § 5-34.2-2.

6 (2) The policy or contract currently provides benefits for identical services rendered by a
7 provider of health care licensed by the state; and

8 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
9 hospital or facility for which the health maintenance organization has an alternative contractual
10 relationship to fund the services of a certified registered nurse anesthetist.

11 (b) It shall remain within the sole discretion of the health maintenance organization as to
12 which certified registered nurse anesthetists it shall contract with. Reimbursement shall be
13 provided according to the respective principles and policies of the health maintenance
14 organization; provided, that no health maintenance organization may be required to pay for
15 duplicative services actually rendered by a certified registered nurse anesthetist and any other
16 health care provider. Nothing contained in this section shall preclude the health maintenance
17 organization from conducting managed care, medical necessity or utilization review.

18 (c) Providers. -- A group health plan and a health insurance issuer offering group or
19 individual health insurance coverage shall not discriminate with respect to participation under the
20 plan or coverage against any health care provider who is acting within the scope of that provider's
21 license or certification under applicable state law. This section shall not require that a group
22 health plan or health insurance issuer contract with any health care provider willing to abide by
23 the terms and conditions for participation established by the plan or issuer. Nothing in this section
24 shall be construed as preventing a group health plan, or a health insurance issuer, from
25 establishing varying reimbursement rates based on quality or performance measures.

26 SECTION 5. 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 INSURANCE

1 This act would prohibit a group health plan and a health insurance issuer from
2 discriminating with respect to participation under the plan or coverage against any health care
3 provider who is acting within the scope of that provider's license or certification under applicable
4 state law.

5 This act would take effect upon passage.

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