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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representative Gregg Amore

Date Introduced: March 02, 2016

Referred To: House Corporations

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 that provides benefits
6 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 adheres to the practice of certified registered
11 nurse anesthesia as defined by, and in accordance with, § 5-34.2-2.

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

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

17 ~~(b) It shall remain within the sole discretion of the health maintenance organization~~

18 (4) The health maintenance organization shall retain the sole discretion as to which
19 certified registered nurse anesthetists it shall contract with. Reimbursement shall be provided

1 according to the respective principles and policies of the health maintenance organization;
2 provided, that no health maintenance organization may be required to pay for duplicative services
3 actually rendered by a certified registered nurse anesthetist and any other health care provider.
4 Nothing contained in this section shall preclude the health maintenance organization from
5 conducting managed care, medical necessity, or utilization review.

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

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

16 **27-19-40. Third-party reimbursement for services of certain health care workers. --**

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

23 (1) The certified registered nurse anesthetist adheres to the practice of certified registered
24 nurse anesthesia as defined by and in accordance with § 5-34.2-2.

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

27 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
28 hospital or facility for which the nonprofit hospital service corporation has an alternative
29 contractual relationship to fund the services of a certified registered nurse anesthetist; ~~and~~

30 ~~(b) It shall remain within the sole discretion of the nonprofit hospital service corporation~~

31 (4) The nonprofit hospital service corporation shall retain sole discretion as to which
32 certified registered nurse anesthetists it shall contract with. Reimbursement shall be provided
33 according to the respective principles and policies of the nonprofit hospital service corporation;
34 provided, that no nonprofit hospital service corporation may be required to pay for duplicative

1 services actually rendered by a certified registered nurse anesthetist and any other health care
2 provider. Nothing contained in this section shall preclude the nonprofit hospital service
3 corporation from conducting managed care, medical necessity, or utilization review.

4 ~~(e)~~(b) Providers. - A group health plan and a health insurance issuer offering group or
5 individual health insurance coverage shall not discriminate with respect to participation under the
6 plan or coverage against any health care provider who is acting within the scope of that provider's
7 license or certification under applicable state law. This section shall not require that a group
8 health plan or health insurance issuer contract with any health care provider willing to abide by
9 the terms and conditions for participation established by the plan or issuer. Nothing in this section
10 shall be construed as preventing a group health plan or a health insurance issuer from establishing
11 varying reimbursement rates based on quality or performance measures.

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

14 **27-20-35. Third-party reimbursement for services of certain health care workers. --**

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

21 (1) The certified registered nurse anesthetist adheres to the practice of certified registered
22 nurse anesthesia as defined by and in accordance with § 5-34.2-2.

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

25 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
26 hospital or facility for which the nonprofit medical service corporation has an alternative
27 contractual relationship to fund the services of a certified registered nurse anesthetist; ~~and~~

28 ~~(b) It shall remain within the sole discretion of the nonprofit medical service corporation~~

29 (4) The nonprofit medical service corporation shall retain sole discretion as to which
30 certified registered nurse anesthetists it shall contract with. Reimbursement shall be provided
31 according to the respective principles and policies of the nonprofit medical service corporation;
32 provided, that no nonprofit medical service corporation may be required to pay for duplicative
33 services actually rendered by a certified registered nurse anesthetist and any other health care
34 provider. Nothing contained in this section shall preclude the nonprofit medical service

1 corporation from conducting managed care, medical necessity, or utilization review.

2 ~~(e)~~(b) Providers. - A group health plan and a health insurance issuer offering group or
3 individual health insurance coverage shall not discriminate with respect to participation under the
4 plan or coverage against any health care provider who is acting within the scope of that provider's
5 license or certification under applicable state law. This section shall not require that a group
6 health plan or health insurance issuer contract with any health care provider willing to abide by
7 the terms and conditions for participation established by the plan or issuer. Nothing in this section
8 shall be construed as preventing a group health plan or a health insurance issuer from establishing
9 varying reimbursement rates based on quality or performance measures.

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

12 **27-41-49. Third-party reimbursement for services of certain health care workers. --**

13 (a) Every individual or group health insurance contract, plan, or policy delivered, issued, or
14 renewed by an insurer, health maintenance organization, nonprofit or for-profit health service
15 corporation that provides benefits to individual subscribers and members within the state, or to all
16 group members having a principal place of employment within the state, shall provide benefits
17 for services rendered by a certified registered nurse anesthetist designated as a certified registered
18 nurse anesthetist by the board of nurse registration and nursing education; provided, ~~that the~~
19 ~~following conditions are met:~~

20 (1) The certified registered nurse anesthetist adheres to the practice of certified registered
21 nurse anesthesia as defined by and in accordance with § 5-34.2-2.

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

24 (3) The certified registered nurse anesthetist is not a salaried employee of the licensed
25 hospital or facility for which the health maintenance organization has an alternative contractual
26 relationship to fund the services of a certified registered nurse anesthetist; ~~and~~

27 ~~(b) It shall remain within the sole discretion of the health maintenance organization~~

28 (4) The health maintenance organization shall retain sole discretion as to which certified
29 registered nurse anesthetists it shall contract with. Reimbursement shall be provided according to
30 the respective principles and policies of the health maintenance organization; provided, that no
31 health maintenance organization may be required to pay for duplicative services actually rendered
32 by a certified registered nurse anesthetist and any other health care provider. Nothing contained in
33 this section shall preclude the health maintenance organization from conducting managed care,
34 medical necessity, or utilization review.

1 ~~(e)~~(b) Providers. - A group health plan and a health insurance issuer offering group or
2 individual health insurance coverage shall not discriminate with respect to participation under the
3 plan or coverage against any health care provider who is acting within the scope of that provider's
4 license or certification under applicable state law. This section shall not require that a group
5 health plan or health insurance issuer contract with any health care provider willing to abide by
6 the terms and conditions for participation established by the plan or issuer. Nothing in this section
7 shall be construed as preventing a group health plan or a health insurance issuer from establishing
8 varying reimbursement rates based on quality or performance measures.

9 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 - ACCIDENT AND SICKNESS INSURANCE POLICIES

- 1 This act would clarify that health maintenance organizations would retain the sole
- 2 discretion as to which certified nurse anesthetists it contracts with.
- 3 This act would take effect upon passage.

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