

2024 -- H 7625 SUBSTITUTE A

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LC004981/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

**RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES --
INSURANCE COVERAGE FOR PREVENTION OF HIV INFECTION**

Introduced By: Representatives Kislak, Shekarchi, McGaw, Solomon, Donovan, Boylan,
Potter, Cruz, Giraldo, and Knight

Date Introduced: February 15, 2024

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-91 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-91. Coverage for treatment of pre-exposure prophylaxis (PrEP) for the**
4 **prevention of HIV and post-exposure prophylaxis (PEP) to prevent HIV infection. [Effective**
5 **January 1, 2024.]**

6 (a) Every group health insurance contract, or every group hospital or medical expense
7 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
8 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
9 pre-exposure prophylaxis ("PrEP") for the prevention of HIV and post-exposure prophylaxis
10 ("PEP") to prevent HIV infection. Each long-acting injectable drug with a different duration shall
11 constitute a separate method of administration. ~~A health insurer is not required to cover any pre-~~
12 ~~exposure prophylaxis drug or post-exposure prophylaxis drug dispensed or administered by an out-~~
13 ~~of-network pharmacy provider unless the enrollee's health plan provides an out-of-network~~
14 ~~pharmacy benefit.~~

15 (b) The healthcare benefits outlined in this chapter apply only to services delivered within
16 the health insurer's provider network; provided that, all health insurers shall be required to provide
17 coverage for those benefits mandated by this chapter outside of the health insurer's provider
18 network where it can be established that the required services are not available from a provider in

1 the health insurer's network.

2 (c) A health insurer shall provide access to at least one pre-exposure ("PrEP") drug in each
3 method of administration and at least one of the Centers for Disease Control and Prevention
4 preferred post-exposure ("PEP") drug treatment regimen, without any prior authorization or step
5 therapy requirement. There shall be no copayment required, and no deductible shall need to be met,
6 to obtain the prescription covered by the contract, plan, or policy.

7 SECTION 2. Section 27-18-92 of the General Laws in Chapter 27-18 entitled "Accident
8 and Sickness Insurance Policies" is hereby repealed.

9 ~~**27-18-92. Expedited prior authorization. [Effective January 1, 2024.]**~~

10 ~~To the extent a prior authorization is permitted and applied, then it shall be conducted in~~
11 ~~an expedited manner as soon as possible, but no later than seventy two (72) hours pursuant to § 27-~~
12 ~~18.9-6(a)(1).~~

13 SECTION 3. Section 27-19-83 of the General Laws in Chapter 27-19 entitled "Nonprofit
14 Hospital Service Corporations" is hereby amended to read as follows:

15 **27-19-83. Coverage for treatment of pre-exposure prophylaxis (PrEP) for the**
16 **prevention of HIV and post-exposure prophylaxis (PEP) to prevent HIV infection. [Effective**
17 **January 1, 2024.]**

18 (a) Every group health insurance contract, or every group hospital or medical expense
19 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
20 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
21 pre-exposure prophylaxis ("PrEP") for the prevention of HIV and post-exposure prophylaxis
22 ("PEP") to prevent HIV infection. Each long-acting injectable drug with a different duration shall
23 constitute a separate method of administration. ~~A health insurer is not required to cover any pre-~~
24 ~~exposure prophylaxis drug or post-exposure prophylaxis drug dispensed or administered by an out-~~
25 ~~of-network pharmacy provider unless the enrollee's health plan provides an out-of-network~~
26 ~~pharmacy benefit.~~

27 (b) The healthcare benefits outlined in this chapter apply only to services delivered within
28 the health insurer's provider network; provided that, all health insurers shall be required to provide
29 coverage for those benefits mandated by this chapter outside of the health insurer's provider
30 network where it can be established that the required services are not available from a provider in
31 the health insurer's network.

32 (c) A health insurer shall provide access to at least one pre-exposure ("PrEP") drug in each
33 method of administration and at least one of the Centers for Disease Control and Prevention
34 preferred post-exposure ("PEP") drug treatment regimen, without any prior authorization or step

1 [therapy requirement. There shall be no copayment required, and no deductible shall need to be met,](#)
2 [to obtain the prescription covered by the contract, plan, or policy.](#)

3 SECTION 4. Section 27-19-84 of the General Laws in Chapter 27-19 entitled "Nonprofit
4 Hospital Service Corporations" is hereby repealed.

5 ~~**27-19-84. Expedited prior authorization. [Effective January 1, 2024.]**~~

6 ~~To the extent a prior authorization is permitted and applied, then it shall be conducted in~~
7 ~~an expedited manner as soon as possible, but no later than seventy-two (72) hours pursuant to § 27-~~
8 ~~18.9-6(a)(1).~~

9 SECTION 5. Section 27-20-79 of the General Laws in Chapter 27-20 entitled "Nonprofit
10 Medical Service Corporations" is hereby amended to read as follows:

11 **27-20-79. Coverage for treatment of pre-exposure prophylaxis (PrEP) for the**
12 **prevention of HIV and post-exposure prophylaxis (PEP) to prevent HIV infection. [Effective**
13 **January 1, 2024.]**

14 (a) Every group health insurance contract, or every group hospital or medical expense
15 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
16 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
17 pre-exposure prophylaxis ("PrEP") for the prevention of HIV and post-exposure prophylaxis
18 ("PEP") to prevent HIV infection. Each long-acting injectable drug with a different duration shall
19 constitute a separate method of administration. ~~A health insurer is not required to cover any pre-~~
20 ~~exposure prophylaxis drug or post-exposure prophylaxis drug dispensed or administered by an out-~~
21 ~~of-network pharmacy provider unless the enrollee's health plan provides an out-of-network~~
22 ~~pharmacy benefit.~~

23 (b) The healthcare benefits outlined in this chapter apply only to services delivered within
24 the health insurer's provider network; provided that, all health insurers shall be required to provide
25 coverage for those benefits mandated by this chapter outside of the health insurer's provider
26 network where it can be established that the required services are not available from a provider in
27 the health insurer's network.

28 [\(c\) A health insurer shall provide access to at least one pre-exposure \("PrEP"\) drug in each](#)
29 [method of administration and at least one of the Centers for Disease Control and Prevention](#)
30 [preferred post-exposure \("PEP"\) drug treatment regimen, without any prior authorization or step](#)
31 [therapy requirement. There shall be no copayment required, and no deductible shall need to be met,](#)
32 [to obtain the prescription covered by the contract, plan, or policy.](#)

33 SECTION 6. Section 27-20-80 of the General Laws in Chapter 27-20 entitled "Nonprofit
34 Medical Service Corporations" is hereby repealed.

1 ~~27-20-80. Expedited prior authorization. [Effective January 1, 2024.]~~

2 ~~To the extent a prior authorization is permitted and applied, then it shall be conducted in~~
3 ~~an expedited manner as soon as possible, but no later than seventy two (72) hours pursuant § 27-~~
4 ~~18.9-6(a)(1).~~

5 SECTION 7. Section 27-41-96 of the General Laws in Chapter 27-41 entitled "Health
6 Maintenance Organizations" is hereby amended to read as follows:

7 **27-41-96. Coverage for treatment of pre-exposure prophylaxis (PrEP) for the**
8 **prevention of HIV and post-exposure prophylaxis (PEP) to prevent HIV infection. [Effective**
9 **January 1, 2024.]**

10 (a) Every group health insurance contract, or every group hospital or medical expense
11 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
12 any health insurance carrier, on or after January 1, 2024, shall provide coverage for treatment of
13 pre-exposure prophylaxis ("PrEP") for the prevention of HIV and post-exposure prophylaxis
14 ("PEP") to prevent HIV infection. Each long-acting injectable drug with a different duration shall
15 constitute a separate method of administration. ~~A health insurer is not required to cover any pre-~~
16 ~~exposure prophylaxis drug or post-exposure prophylaxis drug dispensed or administered by an out-~~
17 ~~of-network pharmacy provider unless the enrollee's health plan provides an out-of-network~~
18 ~~pharmacy benefit.~~

19 (b) The healthcare benefits outlined in this chapter apply only to services delivered within
20 the health insurer's provider network; provided that, all health insurers shall be required to provide
21 coverage for those benefits mandated by this chapter outside of the health insurer's provider
22 network where it can be established that the required services are not available from a provider in
23 the health insurer's network.

24 (c) A health insurer shall provide access to at least one pre-exposure ("PrEP") drug in each
25 method of administration and at least one of the Centers for Disease Control and Prevention
26 preferred post-exposure ("PEP") drug treatment regimen, without any prior authorization or step
27 therapy requirement. There shall be no copayment required, and no deductible shall need to be met,
28 to obtain the prescription covered by the contract, plan, or policy.

29 SECTION 8. Section 27-41-97 of the General Laws in Chapter 27-41 entitled "Health
30 Maintenance Organizations" is hereby repealed.

31 ~~27-41-97. Expedited prior authorization. [Effective January 1, 2024.]~~

32 ~~To the extent a prior authorization is permitted and applied, then it shall be conducted in~~
33 ~~an expedited manner as soon as possible, but no later than seventy two (72) hours pursuant to § 27-~~
34 ~~18.9-6(a)(1).~~

1 SECTION 9. This act shall take effect on January 1, 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES --
INSURANCE COVERAGE FOR PREVENTION OF HIV INFECTION

1 This act would provide that a health insurer would provide access to at least one pre-
2 exposure ("PrEP") drug in each method of administration and at least one of the Centers for Disease
3 Control (CDC) and Prevention preferred post-exposure ("PEP") drug treatment regimen, without
4 any prior authorization or step therapy requirement. There would be no copayment required, and
5 no deductible would need to be met, to obtain the prescription covered by the insurance contract,
6 plan, or policy.

7 This act would take effect on January 1, 2025.

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