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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO INSURANCE

Introduced By: Senators Gallo, and Walaska

Date Introduced: March 10, 2011

Referred To: Senate 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  
2 Insurance Policies" is hereby amended by adding thereto the following section:

3           **27-18-71. Communication access services.** – (a) Every individual or group health  
4 insurance contract, or every individual or group hospital or medical expense insurance policy,  
5 plan, or group policy delivered, issued for delivery, or renewed in this state on or after January 1,  
6 2012, shall provide coverage for communication access services for the deaf and hard-of-hearing  
7 patients or identified clients.

8           (b) For the purposes of this section:

9           (1) "Communication Access Services" means any effective communication access  
10 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities  
11 Act to guarantee full communication access between the patients or identified clients who are  
12 deaf and/or hard-of-hearing and doctors or other health care professionals to ensure that each  
13 party understands their health needs and treatments. Examples of communication access services  
14 are interpreters for the deaf and/or hard-of-hearing, Communication Access Real Time (CART)  
15 service, remote video interpreting service for the deaf and/or hard-of-hearing, remote CART  
16 service etc.

17           (c) This section shall not apply to equipment purchased as part of communication access  
18 accommodations, such as TTYs, videophones or assistive listening devices.

19           SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service

1 Corporations" is hereby amended by adding thereto the following section:

2 **27-19-62. Communication access services.** -- (a) Every individual or group health  
3 insurance contract, or every individual or group hospital or medical expense insurance policy,  
4 plan, or group policy delivered, issued for delivery, or renewed in this state on or after January 1,  
5 2012, shall provide coverage for communication access services for the deaf and hard-of-hearing  
6 patients or identified clients.

7 (b) For the purposes of this section:

8 (1) "Communication Access Services" means any effective communication access  
9 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities  
10 Act to guarantee full communication access between the patients or identified clients who are  
11 deaf and/or hard-of-hearing and doctors or other health care professionals to ensure that each  
12 party understands their health needs and treatments. Examples of communication access services  
13 are interpreters for the deaf and/or hard-of-hearing, Communication Access Real Time (CART)  
14 service, remote video interpreting service for the deaf and/or hard-of-hearing, remote CART  
15 service etc.

16 (c) This section shall not apply to equipment purchased as part of communication access  
17 accommodations, such as TTYs, videophones or assistive listening devices.

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

20 **27-20-57. Communication access services.** -- (a) Every individual or group health  
21 insurance contract, or every individual or group hospital or medical expense insurance policy,  
22 plan, or group policy delivered, issued for delivery, or renewed in this state on or after January 1,  
23 2012, shall provide coverage for communication access services for the deaf and hard-of-hearing  
24 patients or identified clients.

25 (b) For the purposes of this section:

26 (1) "Communication Access Services" means any effective communication access  
27 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities  
28 Act to guarantee full communication access between the patients or identified clients who are  
29 deaf and/or hard-of-hearing and doctors or other health care professionals to ensure that each  
30 party understands their health needs and treatments. Examples of communication access services  
31 are interpreters for the deaf and/or hard-of-hearing, Communication Access Real Time (CART)  
32 service, remote video interpreting service for the deaf and/or hard-of-hearing, remote CART  
33 service etc.

34 (c) This section shall not apply to equipment purchased as part of communication access

1 [accommodations, such as TTYs, videophones or assistive listening devices.](#)

2 SECTION 4. Section 27-38.2-2 of the General Laws in Chapter 27-38.2 entitled  
3 "Insurance Coverage for Mental Illness and Substance Abuse" is hereby amended to read as  
4 follows:

5 **27-38.2-2. Definitions.** -- For the purposes of this chapter, the following words and terms  
6 have the following meanings:

7 (1) "Health insurers" means all persons, firms, corporations, or other organizations  
8 offering and assuring health services on a prepaid or primarily expense-incurred basis, including  
9 but not limited to policies of accident or sickness insurance, as defined by chapter 18 of this title,  
10 nonprofit hospital or medical service plans, whether organized under chapter 19 or 20 of this title  
11 or under any public law or by special act of the general assembly, health maintenance  
12 organizations, or any other entity which insures or reimburses for diagnostic, therapeutic, or  
13 preventive services to a determined population on the basis of a periodic premium. Provided, this  
14 chapter does not apply to insurance coverage providing benefits for:

- 15 (i) Hospital confinement indemnity;
- 16 (ii) Disability income;
- 17 (iii) Accident only;
- 18 (iv) Long-term care;
- 19 (v) Medicare supplement;
- 20 (vi) Limited benefit health;
- 21 (vii) Specific disease indemnity;
- 22 (viii) Sickness or bodily injury or death by accident or both; and
- 23 (ix) Other limited benefit policies.

24 (2) "Mental illness" means any mental disorder and substance abuse disorder that is  
25 listed in the most recent revised publication or the most updated volume of either the Diagnostic  
26 and Statistical Manual of Mental Disorders (DSM) published by the American Psychiatric  
27 Association or the International Classification of Disease Manual (ICD) published by the World  
28 Health Organization and that substantially limits the life activities of the person with the illness;  
29 provided, that tobacco and caffeine are excluded from the definition of "substance" for the  
30 purposes of this chapter. "Mental illness" shall not include: (i) mental retardation, (ii) learning  
31 disorders, (iii) motor skills disorders, (iv) communication disorders, and (v) mental disorders  
32 classified as "V" codes. Nothing shall preclude persons with these conditions from receiving  
33 benefits provided under this chapter for any other diagnoses covered by this chapter.

34 (3) "Mental illness coverage" means inpatient hospitalization, partial hospitalization

1 provided in a hospital or any other licensed facility, intensive out patient services, outpatient  
2 services and community residential care services for substance abuse treatment. It shall not  
3 include methadone maintenance services or community residential care services for mental  
4 illnesses other than substance abuse disorders.

5 (4) "Outpatient services" means office visits that provide for the treatment of mental  
6 illness and substance abuse.

7 (5) "Community residential care services" mean those facilities as defined and licensed  
8 in accordance with chapter 24 of title 40.1.

9 (6) "Communication Access Services" means any effective communication access  
10 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities  
11 Act to guarantee full communication access between the patients or identified clients who are  
12 deaf and/or hard-of-hearing and doctors or other health care professionals to ensure that each  
13 party understands their health needs and treatments. Examples of communication access services  
14 are interpreters for the deaf and/or hard-of-hearing, Communication Access Real Time (CART)  
15 service, remote video interpreting service for the deaf and/or hard-of-hearing, remote CART  
16 service etc.

17 SECTION 5. Chapter 27-38.2 of the General Laws entitled "Insurance Coverage for  
18 Mental Illness and Substance Abuse" is hereby amended by adding thereto the following section:

19 **27-38.2-6. Communication access services.** -- (a) Every individual or group health  
20 insurance contract, or every individual or group hospital or medical expense insurance policy,  
21 plan, or group policy delivered, issued for delivery, or renewed in this state on or after January 1,  
22 2012, shall provide coverage for communication access services for the deaf and hard-of-hearing  
23 patients or identified clients.

24 (b) This section shall not apply to equipment purchased as part of communication access  
25 accommodation, such as TTYs, videophones and assistive listening devices.

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

28 **27-41-75. Communication access services.** -- (a) Every individual or group health  
29 insurance contract, or every individual or group hospital or medical expense insurance policy,  
30 plan, or group policy delivered, issued for delivery, or renewed in this state on or after January 1,  
31 2012, shall provide coverage for communication access services for the deaf and hard-of-hearing  
32 patients or identified clients.

33 (b) For the purposes of this section:

34 (1) "Communication Access Services" means any effective communication access

1 services recognized by either the Rehabilitation Act of 1973 or the Americans with Disabilities  
2 Act to guarantee full communication access between the patients or identified clients who are  
3 deaf and/or hard-of-hearing and doctors or other health care professionals to ensure that each  
4 party understands their health needs and treatments. Examples of communication access services  
5 are interpreters for the deaf and/or hard-of-hearing, Communication Access Real Time (CART)  
6 service, remote video interpreting service for the deaf and/or hard-of-hearing, remote CART  
7 service etc.

8 (c) This section shall not apply to equipment purchased as part of communication access  
9 accommodations, such as TTYs, videophones or assistive listening devices.

10 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 every insurance policy, contract or plan issued or renewed on or  
2 after January 1, 2012 to provide coverage for communication access services for the deaf or hard-  
3 of-hearing.

4           This act would take effect upon passage.

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