



March 18, 2025

The Honorable Susan R. Donovan
Chairperson, House Committee on Health and Human Services
Rhode Island State House
82 Smith Street
Providence, RI 02903

RE: H-5432 – AN ACT RELATING TO INSURANCE – INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE USE DISORDERS

Dear Chairperson Donovan:

I write on behalf of the State of Rhode Island Office of the Health Insurance Commissioner (OHIC) regarding [House Bill 5432](#). This legislation proposes an amendment to the State Mental Health Parity Statute § 27-38.2-1, which would prohibit commercial health insurers in Rhode Island from requiring prior authorization for in-network mental health or substance use disorder services. OHIC supports the goals of this proposed legislation, and notes that Blue Cross Blue Shield of Rhode Island eliminated utilization review as of August 1, 2018 for all in-network behavioral health services rendered by network providers and has maintained that policy to this day.¹

OHIC shares the following observations regarding this bill.

The office believes that this language is not suited to be included in Rhode Island’s Mental Health Parity Statute. In subsection (a) of the statute, current law states that insurers “shall provide coverage for the treatment of mental health and substance use disorders under the same terms and conditions as that coverage is provided for other illnesses and diseases.” The newly proposed subsection (j) of this bill contradicts subsection (a).

The legislation also requires OHIC to “promulgate rules and regulations and conduct oversight and enforcement actions necessary to implement this subsection, including the imposition of fines for violations.” The office suggests either modifying or removing this language. If the bill sponsor would like to modify the language, OHIC suggests making it a separate subsection and making the language discretionary and consistent with § 27-18.9-10 (i.e., “may promulgate such rules and regulations as are necessary and proper...”). In the alternative, OHIC proposes the option of deleting the language all together since authority to conduct oversight and enforcement actions is already granted to the office

¹ Blue Cross Blue Shield of Rhode Island. [Provider Update](#), (2018)

under § 42-14.5-3(e); and authority to impose fines is already created and covered under OHIC's penalty provision § 42-14-16.

Thank you for your continued leadership and hard work on all matters related to the health of Rhode Islanders.

Sincerely,



Cory B. King
Health Insurance Commissioner

CC: Honorable Members of the House Committee on Health and Human Services
Honorable Teresa A. Tanzi
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House