



OFFICE OF MANAGEMENT & BUDGET

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MEMORANDUM

To: The Honorable Marvin L. Abney
Chairman, House Finance Committee

The Honorable William J. Conley, Jr.
Chairman, Senate Finance Committee

From: Thomas A. Mullaney *Thomas A. Mullaney*
Executive Director/State Budget Officer

Date: October 23, 2020

Subject: New Article – Relating to Accident and Sickness Insurance Policies (20-H-7171)

The Governor requests the attached new article be included in the FY 2021 Appropriations Act. This article adds three new sections to Title 27, Chapter 18 of the Rhode Island General Laws that would prohibit insurance companies and all individual and group health insurance contracts, plans, or policies delivered in the State of Rhode Island from varying the premium rates charged for a health coverage plan based on the gender of the individual policy holder, enrollee, subscriber, or member. It would not apply to insurance coverage providing benefits for any of the following: hospital confinement indemnity; disability income; accident only; long-term care; Medicare supplement; limited benefit health; specified disease indemnity; sickness of bodily injury or death by accident or both; and other limited benefit policies.

Please contact Marie Ganim, Health Insurance Commissioner, at 462-9638 with any specific questions about this article.

Thank you.

Attachment

TAM: 21-Amend-16

Cc: Sharon Reynolds Ferland, House Fiscal Advisor
Stephen Whitney, Senate Fiscal Advisor

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ARTICLE XX

RELATING TO ACCIDENT AND SICKNESS INSURANCE POLICIES

SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness Insurance Policies" is hereby amended by adding thereto the following section:

27-18-85. Gender rating.

(a) No individual or group health insurance contract, plan, or policy delivered, issued for delivery, or renewed in this state, which provides medical coverage that includes coverage for physician services in a physician's office, and no policy which provides major medical or similar comprehensive-type coverage, excluding disability income, long-term care, and insurance supplemental policies which only provide coverage for specified diseases or other supplemental policies, shall vary the premium rate for a health coverage plan based on the gender of the individual policy holders, enrollees, subscribers, or members.

(b) This section shall not apply to insurance coverage providing benefits for any of the following:

(1) Hospital confinement indemnity;

(2) Disability income;

(3) Accident only;

(4) Long-term care;

(5) Medicare supplement;

(6) Limited benefit health;

(7) Specified disease indemnity;

(8) Sickness of bodily injury or death by accident or both; and

(9) Other limited benefit policies.

SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service Corporations" is hereby amended by adding thereto the following section:

27-19-77. Gender rating.

1 (a) No individual or group health insurance contract, plan, or policy delivered, issued for
2 delivery, or renewed in this state, which provides medical coverage that includes coverage for
3 physician services in a physician's office, and no policy which provides major medical or similar
4 comprehensive-type coverage, excluding disability income, long-term care, and
5 insurance supplemental policies which only provide coverage for specified diseases or other
6 supplemental policies, shall vary the premium rate for a health coverage plan based on the gender
7 of the individual policy holders, enrollees, subscribers, or members.

8 (b) This section shall not apply to insurance coverage providing benefits for any of
9 the following:

10 (1) Hospital confinement indemnity;

11 (2) Disability income;

12 (3) Accident only;

13 (4) Long-term care;

14 (5) Medicare supplement;

15 (6) Limited benefit health;

16 (7) Specified disease indemnity;

17 (8) Sickness of bodily injury or death by accident or both; and

18 (9) Other limited benefit policies.

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

21 **27-20-73. Gender rating.**

22 (a) No individual or group health insurance contract, plan, or policy delivered, issued
23 for delivery, or renewed in this state, which provides medical coverage that includes coverage
24 for physician services in a physician's office, and no policy which provides major medical or
25 similar comprehensive-type coverage, excluding disability income, long-term care, and
26 insurance supplemental policies which only provide coverage for specified diseases or other

1 supplemental policies, shall vary the premium rate for a health coverage plan based on the gender
2 of the individual policy holders, enrollees, subscribers, or members.

3 (b) This section shall not apply to insurance coverage providing benefits for any of
4 the following:

5 (1) Hospital confinement indemnity;

6 (2) Disability income;

7 (3) Accident only;

8 (4) Long-term care;

9 (5) Medicare supplement;

10 (6) Limited benefit health;

11 (7) Specified disease indemnity;

12 (8) Sickness of bodily injury or death by accident or both; and

13 (9) Other limited benefit policies.

14 SECTION 4. Chapter 27-41 of the General Laws entitled "Health
15 Maintenance Organizations" is hereby amended by adding thereto the following section:

16 **27-41-90. Gender rating.**

17 (a) No individual or group health insurance contract, plan, or policy delivered, issued
18 for delivery, or renewed in this state, which provides medical coverage that includes coverage
19 for physician services in a physician's office, and no policy which provides major medical or
20 similar comprehensive-type coverage, excluding disability income, long-term care, and
21 insurance supplemental policies which only provide coverage for specified diseases or other
22 supplemental policies, shall vary the premium rate for a health coverage plan based on the gender
23 of the individual policy holders, enrollees, subscribers, or members.

24 (b) This section shall not apply to insurance coverage providing benefits for any of
25 the following:

26 (1) Hospital confinement indemnity;

- 1 (2) Disability income;
- 2 (3) Accident only;
- 3 (4) Long-term care;
- 4 (5) Medicare supplement;
- 5 (6) Limited benefit health;
- 6 (7) Specified disease indemnity;
- 7 (8) Sickness of bodily injury or death by accident or both; and
- 8 (9) Other limited benefit policies.
- 9 SECTION 5. This article shall take effect on January 1, 2022.