



Department of Business Regulation
Insurance Division
1511 Pontiac Avenue, Bldg. 69-2
Cranston, Rhode Island 02920

Insurance Bulletin Number 2017-2

2017 Legislative Changes

The following legislative amendments were enacted to date during the 2017 session of the Rhode Island General Assembly. If additional statutes are enacted prior to January 1, 2018, the Department will amend this bulletin accordingly. This information is being provided in accordance with [R.I. Gen. Laws § 27-71-14\(a\)](#). This bulletin is being provided for informational purposes only and may not be an all-inclusive list of enactments that impact the insurance industry. Licensees should refer to the statute itself to determine the impact. Any person wishing to be included in these annual notifications pursuant to R.I. Gen. Laws § 27-71-14(b) who is not currently on the interested parties list should send an email request to DBR.InsNotice@dbr.ri.gov.

Insurance Consumer Protection

[H5937](#)

[2017 P.L. ch. 196](#)

Effective July 18, 2017

This legislation was introduced at the request of the Department. The provisions are:

1. Service of Process – Amends R.I. Gen. Laws § 27-2-14 to eliminate the requirement that the Department send service of process to foreign insurers by certified mail. The Department will be issuing a bulletin requesting that every insurer for which it is statutorily obligated to accept service to provide an email address to which that service is to be forwarded.
2. Producer Continuing Education Board – Repeals R.I. Gen. Laws § 27-3.2-5 to eliminate the volunteer board that approves continuing education courses. The Department will transition to utilizing professional providers to approve continuing education courses. This change will not affect the reciprocity granted to courses approved by reciprocal states.
3. Volunteer Drivers - Adds R.I. Gen. Laws § 27-9-4(f) to prohibit insurers from refusing to issue motor vehicle liability insurance, impose a surcharge or otherwise increase the rate for a motor vehicle policy solely because the applicant is a volunteer driver. Volunteer driver is defined as a person who provides services without compensation to a non-profit agency or charitable organization.
4. Unlicensed Public Adjuster – Adds R.I. Gen. Laws § 27-9.1-4(26) to prevent insurers from negotiating claims with an unlicensed public adjuster.

5. Disability Insurance – Amends R.I. Gen. Laws §§ 27-18-19 and 27-18-67 to clarify that the Department has authority over Disability Insurance policies.

Insurance Repeal

[H5934](#) [2017 P.L. ch. 195](#) Effective July 18, 2017

This legislation was introduced at the request of the Department. It’s provisions repeal R.I. Gen. Laws § 27-9-51 and R.I. Gen. Laws §§ 27-75.

Condominium Insurance

[H5223A](#) [2017 P.L. ch. 78](#) Effective June 29, 2017
[S0198Aaa](#) [2017 P.L. ch. 88](#) Effective June 29, 2017

This legislation amends R.I. Gen. Laws § 34-36.1-3.13 to entitle a condominium unit owner to a written copy of an insurance company damage appraisal within fourteen calendar days of the date of the unit owner's request from the condominium association or within fourteen (14) days of the receipt of the appraisal by the association.

Workers Compensation Omnibus

[H6224A](#) [2017 P.L. ch. 106](#) Effective July 21, 2017
[S0917A](#) [2017 P.L. ch. 266](#) Effective July 21, 2017

This legislation repeals the “material hindrance” definition for injuries on and after July 1, 2023; extends the implementation of the uninsured employers fund until 2018 and changes the name of the Donley center to the Chief Judge Robert F. Arrigan center.

Domestic Partnerships

[H5951A](#) [2017 P.L. ch 197](#) Effective July 18, 2017

This legislation amends R.I. Gen. Laws §§ 27-29-2 and 27-29-4 defining a domestic partnership and prohibits insurance companies from any distinction or discrimination against individuals in a domestic partner relationship regarding fees for policies issued or renewed in this state. This legislation applies to all policies issued or renewed on or after January 1, 2018.

Formulary Changes

[H6322](#) [2017 P.L. ch. 274](#) Effective July 21, 2017

Amends R.I. Gen. Laws §§ 27-18-50, 27-19-42, 27-20-37, 27-20.1-15 and 27-41-51 to specify that formulary changes removing a covered prescription drug or making a change in the drug's preferred or tiered cost sharing status, that has an adverse subscriber impact, receive required statutory notification.

Chiropractic Coverage

[S0789Aaa](#)

[2017 P.L. ch. 165](#)

Effective April 1, 2018

Amends R.I. Gen. Laws §§ 27-18-25, 27-19-74, 27-20-70, 27-41-87 and 27-38.2-1, adding a requirement to utilize a medical necessity standard for provider payment, and to require insurance reimbursement for medically necessary evidence-based chiropractic and osteopathic non-opioid treatments for pain.

Coverage for Standard Fertility Preservation Services

[H6170A](#)

[2017 P.L. ch. 150](#)

Effective July 5, 2018

[S0821A](#)

[2017 P.L. ch. 132](#)

Effective July 5, 2018

Amends R.I. Gen. Laws §§ 27-18-30, 27-19-23, 27-20-20 and 27-41-33 to mandate insurance coverage for medically necessary expenses for standard fertility preservation services when a medical treatment may directly or indirectly cause iatrogenic infertility. "Iatrogenic infertility" means an impairment of fertility because of surgery, radiation, chemotherapy or other medical treatment affecting the reproductive organs or processes.

Special Commission to Access and Make Recommendations on Health Insurance Issues

[S1010](#)

[2017 Resolution 364](#)

Report due March 1, 2018

Resolution creates a 12 member Commission to examine and make recommendations on the health insurance issues prevalent in RI relating to consumer protection and choice, coverage affordability and quality, and market stability.

Recommendations for the Development of a Statewide Healthcare System Plan

[S0993](#)

[2017 Resolution 353](#)

Report due January 1, 2018

Resolution to request EOHHS, DOH & OHIC to develop the methodology pursuant to R.I. Gen. Laws § 23-81-4 to inform a statewide health care system plan.

Copies of Rhode Island Insurance Regulations, Insurance Bulletins and applicable [Rhode Island General Laws](#) are accessible through these links or by visiting the Department's website at www.dbr.ri.gov. Copies of the [Senate and House bills](#) are accessible through these links or by visiting the Rhode Island General Assembly website at www.rilin.state.ri.us. In light of the above amendments, insurers are required to review current policy forms, rules and rates to determine if new and/or revised filings are required and to timely submit such filings in SERFF for the Department's review and approval.

Elizabeth Kelleher Dwyer
Superintendent of Insurance
August 3, 2017