



Department of Business Regulation

Insurance Division

1511 Pontiac Avenue, Bldg. 69-2
Cranston, Rhode Island 02920

Insurance Bulletin Number 2018-14

2018 Legislative Changes

The following legislative amendments were enacted to date during the 2018 session of the Rhode Island General Assembly. 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 may sign up for email updates by clicking [here](#).

Voluntary Restructuring and Protected Cell Updates

[H8161A](#)

[2018 P.L. ch. 218](#)

Effective July 2, 2018

[S3008](#)

[2018 P.L. ch. 290](#)

Effective July 2, 2018

This legislation updates Rhode Island's law on Voluntary Restructuring regarding Insurance Business Transfers and adding voluntary restructuring to the purpose of the Protected Cell Companies Act.

Life Insurance Disclosure Notice

[H7124A](#)

[2018 P.L. ch. 126](#)

Effective January 1, 2019

[S2048A](#)

[2018 P.L. ch. 196](#)

Effective January 1, 2019

This legislation requires life insurers to inform consumers of life settlement options, and the Department has issued a [Notice](#) and placed it on the Department's website. The notice may also be accessed through [Insurance Bulletin 2018-12](#).

Medical Malpractice Statute of Limitations

[H7512](#)

[2018 P.L. ch. 154](#)

Effective July 2, 2018

This legislation amends R.I. Gen. Laws § 9-1-14.1 to alter the statute of limitations with regard to medical malpractice claims.

Uninsured Motorist Data Reporting

[H7607A](#)

[2018 P.L. ch. 160](#)

Effective January 1, 2019

[S2426](#)

[2018 P.L. ch. 245](#)

Effective January 1, 2019

This legislation amends R.I. Gen. Laws § 31-47.4-2 to require insurers to report weekly to the uninsured motorist identification database. The Department will be updating

[Insurance Bulletin 2015-1](#) accordingly.

Aftermarket Body Parts

H8013Aaa	2018 P.L. ch. 321	Effective July 4, 2018
S2679B	2018 P.L. ch. 298	Effective July 4, 2018

This legislation extends the requirements of R.I. Gen. Laws § 27-10.2-2 to all claims, all parts and to 48 months beyond the date of manufacture and adds a restriction to insurers when said “OEM parts” are used. This legislation does not apply to the repair or replacement of motor vehicle glass performed by licensed motor vehicle glass repair shops. The Department will be amending [230-RICR-20-50-3](#), [230-RICR-20-50-4](#) and [230-RICR-20-40-2](#) accordingly.

Vacant Property

S2444B	2018 P.L. ch. 078	Effective January 1, 2019
H8340A	2018 P.L. ch. 100	Effective January 1, 2019

This legislation prohibits residential property insurers from excluding coverage for vandalism or malicious mischief unless the dwelling has been vacant for more than sixty (60) consecutive days immediately before the loss.

Workers Compensation Omnibus

H8215A	2018 P.L. ch. 98	Effective June 28, 2018
S2924B	2018 P.L. ch. 86	Effective, June 28, 2018

This legislation alters the waiver of claim of common law rights in R.I. Gen. Laws § 28-29-19; increases the workers compensation advisory council by adding one additional judge and eliminating a self-insured employer representative; alters R.I. Gen. Laws § 28-30-4 by adding power of a notary public to the Workers Compensation Administrator and amends R.I. Gen. Laws § 28-36-15 and R.I. Gen. Laws chapter 28-53

Mastectomy Treatment

H7002	2018 P.L. ch. 114	Effective January 1, 2019
S2224	2018 P.L. ch. 204	Effective January 1, 2019

This legislation revises the current mastectomy coverage mandate to eliminate cost-sharing.

SHOP Innovation Waiver

H7121	2018 P.L. ch. 124	Effective July 2, 2018
S2019	2018 P.L. ch. 194	Effective July 2, 2018

This legislation authorizes RI health benefit exchange to seek a waiver under the ACA to allow qualified small business owners & sole proprietors to purchase qualified health benefit plans offered by the exchange and not be forced into the individual market.

FDA Approved Contraceptives

H7625A	2018 P.L. ch. 230	Effective April 1, 2019 and July 1, 2019
S2529A	2018 P.L. ch. 234	Effective April 1, 2019 and July 1, 2019

Requires individual and group health insurance contracts to provide a twelve-month supply of all FDA-approved contraceptive drugs, and for EOHHS to apply for a federal waiver for Medicaid to accomplish the same goal.

Insurance Coverage for Mental Illness and Substance Abuse

H7806A	2018 P.L. ch. 169	Effective January 1, 2019
S2540A	2018 P.L. ch. 253	Effective January 1, 2019

Includes behavioral health counseling visits and medication maintenance visits as primary care visits for patient cost-sharing requirements under the provisions of a health plan, requires a report from OHIC, and adds to OHIC’s statutory duties.

Reinsurance Program

S2934A	2018 P.L. ch. 278	Effective July 2, 2018
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Establishes the Rhode Island reinsurance program and restricted receipt account, from federal funding, administered by the Director of the Rhode Island health benefits exchange, to mitigate the impact of high-risk individuals on health insurance rates.

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
October 26, 2018

Revised: November 28, 2018
Technical Revision: January 30, 2019