

1 S.27

2 Introduced by Senator Mullin

3 Referred to Committee on

4 Date:

5 Subject: Health; health insurance; chiropractor

6 Statement of purpose of bill as introduced: This bill proposes to require health
7 insurance plans to reimburse health care professionals the same amount for the
8 same services whether provided by a chiropractor, a physician licensed to
9 practice medicine, or an osteopathic physician.

10 An act relating to equal reimbursement for chiropractic physicians

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 8 V.S.A. § 4088a is amended to read:

13 § 4088a. CHIROPRACTIC SERVICES

14 (a) A health insurance plan shall provide coverage for clinically necessary
15 health care services provided by a chiropractic physician licensed in this State
16 for treatment within the scope of practice described in 26 V.S.A. chapter 10,
17 but limiting adjunctive therapies to physiotherapy modalities and rehabilitative
18 exercises. A health insurance plan does not have to provide coverage for the
19 treatment of any visceral condition arising from problems or dysfunctions of
20 the abdominal or thoracic organs. A health insurer may require that the

1 chiropractic services be provided by a licensed chiropractic physician under
2 contract with the insurer or upon referral from a health care provider under
3 contract with the insurer. Health care services provided by chiropractic
4 physicians may be subject to reasonable deductibles, co-payment and
5 co-insurance amounts, fee or benefit limits, practice parameters, and utilization
6 review consistent with any applicable regulations published by the Department
7 of Financial Regulation; provided that any such amounts, limits, and review
8 shall not function to direct treatment in a manner unfairly discriminative
9 against chiropractic care, and collectively shall be no more restrictive than
10 those applicable under the same policy to care or services provided by other
11 health care providers but allowing for the management of the benefit consistent
12 with variations in practice patterns and treatment modalities among different
13 types of health care providers. Nothing herein contained shall be construed as
14 impeding or preventing either the provision or coverage of health care services
15 by licensed chiropractic physicians, within the lawful scope of chiropractic
16 practice, in hospital facilities on a staff or employee basis.

17 (b) A health insurance plan shall provide to a licensed chiropractic
18 physician acting within his or her scope of practice and performing a covered
19 service the same level of reimbursement or other compensation as the plan
20 provides for performing the same covered service to a physician licensed
21 pursuant to 26 V.S.A. chapter 23 or 33.

1 (c) As used in this section:

2 (1) “Covered service” means services for which reimbursement from a
3 health insurance plan is provided by a member’s or subscriber’s plan contract,
4 or for which a reimbursement would be available but for application of the
5 deductible, co-payment, or co-insurance requirements under the member’s or
6 subscriber’s health insurance plan.

7 (2) ~~“health~~ Health insurance plan” means any individual or group health
8 insurance policy, any hospital or medical service corporation or health
9 maintenance organization subscriber contract, or any other health benefit plan
10 offered, issued, or renewed for any person in this State by a health insurer, as
11 defined by 18 V.S.A. § 9402. The term ~~shall~~ does not include Medicaid,
12 benefit plans providing coverage for specific disease, or other limited benefit
13 coverage.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on July 1, 2015.