

HealthFirst
Proposed Pay Parity Draft
Senate Finance 3/19/15

8 V.S.A. § 4083. Discrimination prohibited

(a) No insurer doing in this state the business specified in subdivision 3301(a)(2) of this title shall make or permit any unfair discrimination between individuals of substantially the same hazard in the amount of premium rates charged for any policy or contract of such insurance or in the benefits payable thereunder. This section shall not prohibit different premium rates, different benefits, or different underwriting procedure for individuals insured under group, family expense, franchise, or blanket plans of insurance.

(b) A health insurance plan shall reimburse a participating physician who is licensed under 26 VSA Chapter 23 or 33 and who is providing a covered health care service that is within his or her scope of practice at the same rate as applied to other physicians providing the same covered health care service.

(c) Subsection (b) of this section shall not affect a health insurance plan's:

(i) Implementation of a health care quality improvement program that offers separately identifiable enhanced payments designed to promote cost-effective and clinically efficacious health care services, including but not limited to pay-for-performance payment methodologies and other programs if they are fairly applied and available to all physicians licensed under Title 26 Chapter 23 or 33 that are designed to promote evidence-based and research-based practices; *and*

(ii) Authority to pay in-network providers differently than out-of-network providers.