

S.224

An act relating to co-payment limits for visits to chiropractors

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

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

§ 4088a. CHIROPRACTIC SERVICES

(a)(1) A health insurance plan shall provide coverage for clinically necessary health care services provided by a chiropractic physician licensed in this State for treatment within the scope of practice described in 26 V.S.A. chapter 10, but limiting adjunctive therapies to physiotherapy modalities and rehabilitative exercises. A health insurance plan does not have to provide coverage for the treatment of any visceral condition arising from problems or dysfunctions of the abdominal or thoracic organs.

(2) A health insurer may require that the chiropractic services be provided by a licensed chiropractic physician under contract with the insurer or upon referral from a health care provider under contract with the insurer.

(3) Health care services provided by chiropractic physicians may be subject to reasonable deductibles, co-payment and co-insurance amounts, fee or benefit limits, practice parameters, and utilization review consistent with any applicable regulations published by the Department of Financial Regulation; provided that any such amounts, limits, and review shall not function to direct treatment in a manner unfairly discriminative against

chiropractic care, and collectively shall be no more restrictive than those applicable under the same policy to care or services provided by other health care providers but allowing for the management of the benefit consistent with variations in practice patterns and treatment modalities among different types of health care providers.

(4) For qualified health benefit plans offered pursuant to 33 V.S.A. chapter 18, subchapter 1, health care services provided by a chiropractic physician may be subject to a co-payment requirement as long as the required co-payment amount is not greater than the amount of the co-payment applicable to care and services provided by a primary care provider under the plan.

(5) Nothing ~~herein~~ contained in this section shall be construed as impeding or preventing either the provision or coverage of health care services by licensed chiropractic physicians, within the lawful scope of chiropractic practice, in hospital facilities on a staff or employee basis.

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Sec. 2. CHIROPRACTIC CO-PAYMENT LIMITS; PROSPECTIVE

REPEAL

8 V.S.A. § 4088a(a)(4) (co-payment amounts for qualified health benefit plans) is repealed on January 1, 2022.

Sec. 3. CHIROPRACTIC CO-PAYMENT LIMITS; IMPACT REPORT

On or before January 15, 2021, the Green Mountain Care Board shall submit a report, to be prepared in consultation with the Department of Vermont Health Access and the health insurance carriers offering qualified health benefit plans on the Vermont Health Benefit Exchange, to the House Committee on Health Care and the Senate Committee on Finance regarding the impact of the chiropractic co-payment limits for qualified health benefit plans required by Sec. 1 of this act on utilization of chiropractic services, on the plans' premium rates, on the plans' actuarial values, and on plan designs, including any impacts on the cost-sharing levels and amounts for other health care services.

Sec. 4. HEALTH INSURANCE RATE FILINGS; COMPLIANCE WITH
CHIROPRACTIC CO-PAYMENT LIMITS

In conjunction with their qualified health benefit plan premium rate filings for plan years 2019, 2020, and 2021, each health insurance carrier shall provide information to the Green Mountain Care Board regarding any modifications to their proposed rates that are attributable to a plan's compliance with the co-payment limits for chiropractic care required by Sec. 1 of this act.

Sec. 5. EFFECTIVE DATES

(a) Sec. 1 (8 V.S.A. § 4088a) shall take effect on January 1, 2019 and shall apply to all health insurance plans issued on and after January 1, 2019 on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than January 1, 2020.

(b) The remaining sections shall take effect on passage.