

September 28, 2018

Alyssa R. Metivier
Department of Business Regulation
Office of the Health Insurance Commissioner
1511 Pontiac Avenue
Cranston, RI 02920

RE: Proposed rule 230-RICR-20-30-9

Dear Ms. Metivier:

I am writing on behalf of the American Society of Plastic Surgeons (ASPS) regarding the proposed adoption of 230-RICR-20-30-9. ASPS is the largest association of plastic surgeons in the world, representing more than 94 percent of all board-certified plastic surgeons in the United States. Our mission is to advance quality care for plastic surgery patients and promote public policy that protects patient safety.

Following passage of the Affordable Care Act, insurers have created health plans with narrow, inadequate, and non-transparent physician networks. Following the growing prevalence of these “narrow networks,” patients have shown a limited understanding of the nuances of their plan, unknowingly receive “out-of-network” care, and are charged high out of pocket fees for their health care.

We encourage Rhode Island to adopt more explicit regulations on the provider directories outlined in proposed rule 230-RICR-20-30-9.7. Patients rely on insurer-maintained provider directories to guide their healthcare choices. Therefore, insurance carriers must be held accountable for the information that they provide to patients and prospective patients. Patients and physicians should not be penalized when insurance carriers do not update their directories, causing responsible patients to unintentionally seek care from out-of-network providers. Accordingly, 230-RICR-20-30-9.7(D) must include the following clause:

If a patient receives care from a provider listed in the directory as participating, but unintentionally receives out-of-network care due to an inaccurate carrier directory, the carrier is required to compensate the provider at the provider’s billed rate at no expense to the patient beyond their regular cost-sharing obligation for in-network services.

Furthermore, we recommend that 230-RICR-20-30-9.7(D)(4) be amended to read:

4. Electronic and paper directories must be updated at least **monthly every fifteen days** with daily updates available telephonically.

For the reasons outlined above, we respectfully request that you amend the proposal to hold insurance carriers accountable. Thank you for your consideration of our position on this important issue. Please do not hesitate to contact Patrick Hermes, Director of Advocacy and Government Relations, at phermes@plasticsurgery.org or (847) 228-3331 with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey E. Janis". The signature is fluid and cursive, with a large initial "J" and a distinct "E" and "Janis" following.

Jeffrey E. Janis, MD, FACS
President, American Society of Plastic Surgeons