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February 15, 2024

The Honorable Susan Donovan, Chair  
House Committee on Health and Human Services  
Via email: [HouseHealthandHumanServices@rilegislature.gov](mailto:HouseHealthandHumanServices@rilegislature.gov)

**RE: House Bill 7091, An Act Relating to Insurance – Lifetime Limits**

Dear Chairwoman Donovan and Members of the House Committee on Health and Human Services:

On behalf of Blue Cross & Blue Shield of Rhode Island (Blue Cross), I am writing to provide information as you consider eliminating the ability of the Health Insurance Commissioner to align Rhode Island with changes in federal law relating to annual and lifetime insurance benefits.

**The Assembly intentionally made the state law provision prohibiting lifetime and annual benefit limits dependent on continuation of the federal Affordable Care Act (ACA). Requiring unlimited coverage protects members who receive costly care, but the expense impacts premiums. The ACA balances the impact by providing substantial subsidies and risk-spreading mechanisms. If the ACA were overturned or repealed, tens of thousands of Rhode Islanders would lose the assistance they receive to help pay their premiums. Insurers who cover the costliest care would lose the risk adjustment payments that level the playing field for carriers. Those supports make plans affordable today, and without them, premiums would substantially increase.**

**There will be no change to existing insurance coverage rules if the Assembly passes this bill. The impact would be felt if the ACA's assistance programs were no longer in effect while these limitless policies remain required. In such a case, Rhode Islanders may want options for purchasing lower cost coverage while others may seek to maintain more robust coverage. Therefore, the Assembly might want to ensure it quickly receives information to assist in crafting responsive state laws. A procedure for receiving such information from the Health Insurance Commissioner might be effectuated by language such as:**

**If any provision of the federal Patient Protection and Affordable Care Act and/or its implementing regulations relating to annual and/or lifetime limits, or relating to the Act's subsidies or risk sharing arrangements, are determined by the health insurance commissioner to have been repealed or to have been declared invalid or nullified by the final judgment of a federal court applicable to the state, or by executive or administrative action, the commissioner shall report to the General Assembly as soon as possible to describe the impact of the change and to make recommendations regarding consumer protections, consumer choices, and stabilization and affordability of the Rhode Island insurance market.**

We appreciate your consideration of these concerns. Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Rich S".

Richard Glucksman  
Assistant General Counsel