



March 1, 2021

The Honorable Stephen M. Casey
Chair, House Committee on Health and Human Services
State House
Providence, RI 02903

Re: H 5370 An Act Related to Business and Professions – Confidentiality of Health Care Communications and Information Act

Dear Chairman Casey:

The Office of the Health Insurance Commissioner (OHIC) appreciates the sponsors of this bill for addressing the importance of communication accessibility between insurers and consumers. This bill seeks to enhance consumer protections around confidential health care information by requiring health insurers to accommodate their insureds' requests for confidential communications. Consumer protections is at the core of all of OHIC's activities and our office is supportive of this opportunity to improve upon these protections.

OHIC maintains jurisdiction over fully insured commercial health plans. The self-insured market (approximately 54% of the Rhode Island commercial market) as well as the Medicaid population fall outside of OHIC's jurisdiction. OHIC appreciates that the sponsors of this bill placed this proposed legislation under Chapter 5-37.3 of the General Laws entitled "Confidentiality of Health Care Communications and Information Act" for the purpose of making its protections applicable to as many Rhode Islanders as possible regardless of the specific nature of their health care coverage. To best clarify this legislative intent, OHIC recommends removing the reference to OHIC in subsection (g) of the bill.

OHIC respectfully suggest that clarification around the meaning of subsection (e) may assist in the implementation of the sponsor's intent. Finally, OHIC recommends H 5370 be made effective as of January 1, 2022 to coincide with the health insurers required implementation of subsection (b) and to allow sufficient time for the Department of Health to develop and disseminate the information set forth in subsection (f).

Sincerely,

Patrick M. Tighe
Health Insurance Commissioner

Cc: Honorable Members of House Committee on Health and Human Services
Lisa Cataldi