

April 16, 2026

The Honorable Melissa Murray, Chair, Senate Committee on Health and Human Services  
Via email to: [SLegislation@rilegislature.gov](mailto:SLegislation@rilegislature.gov)

Senate Bill 2687, An Act Relating to Insurance

Dear Chairwoman Murray and Members of the Committee:

On behalf of Blue Cross & Blue Shield of Rhode Island (Blue Cross), I am writing to share information and express concern about this proposal relating to health plans' coverage of behavioral health services.

Blue Cross shares the sponsors' and advocates' commitment to accessible, high-quality, affordable behavioral health services. We strongly support behavioral health providers and the patients they serve, and we have consistently invested in behavioral health services through increased payment rates, innovative payment arrangements, and collaborations designed to improve access, integration with medical care, and patient outcomes. **In dollar terms, the cost of care for fully insured members' behavioral health treatment grew, from 2020 to 2025, from \$42 million to \$62 million.** This reflects both increases in the amount of care delivered (utilization) and the prices paid for that care (reimbursement rates).

Based on our experience administering behavioral health benefits and our understanding of recent announcements from federal regulators, we respectfully raise several concerns regarding the approach reflected in the bill.

**The bill would have the state adopt federal rules proposed in 2024. However, those 2024 rules are on hold and new rules appear likely to be issued later this year.** By way of background, federal agencies have been issuing regulations, compliance guides, toolkits, and FAQs ever since the federal Parity law was adopted in 2008. However, legal challenges arose to the 2024 regulation, as exceeding the agencies' authority and because of its vague obligations. In a court filing, the government stated:

The Departments have determined that, rather than defend the Rule in this proceeding, they will issue a new proposed rule ... The Departments intend to include a rulemaking on this topic on the 2026 Spring Regulatory Agenda, and to issue a notice of proposed rulemaking no later than December 31, 2026.<sup>1</sup>

**A robust legal framework continues to exist, ensuring coverage for behavioral health.**

Compliance is not optional: obligations exist under the 2008 Parity law, the 2013 regulations, compliance laws enacted in 2021, federal agency enforcement authority, as well as state law and regulatory authority.

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<sup>1</sup> [MHPAEA-Lawsuit-Joint-Status-Report-3-30-26.pdf](#)

Adopting the 2024 regulations into state law, in full or in part, while they are under active litigation and agency reconsideration would create a confusing and conflicting set of rules and obligations for health plans in Rhode Island. This would add complexity and cost to the system.

Blue Cross recognizes the concern of the sponsors and advocates and welcomes conversations on improving access to behavioral health treatments. Please feel free to contact me with any questions.

Respectfully submitted,

***Richard Glucksman,***

Senior Government Affairs Counsel