



May 5, 2026

The Honorable Melissa Murray  
Chairperson, Senate Committee on Health and Human Services  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

RE: Letter of Education regarding S2879– AN ACT RELATING TO BUSINESSES AND PROFESSIONS – THE PRIMARY CARE PRESERVATION ACT

Dear Chairperson Murray:

I write on behalf of the State of Rhode Island Office of the Health Insurance Commissioner (OHIC) to provide technical comments regarding [Senate Bill 2879](#). This letter is not intended as a position in support of or opposition to the bill, but only as recommendations on drafting to provide clarity to the bill and to aid OHIC with enforcement.

OHIC is supportive of efforts to bolster primary care in Rhode Island and in 2025 my office promulgated new regulations requiring commercial health insurers to boost funding for primary care, including by paying higher reimbursement rates. However, OHIC notes that the proposed legislation's definition of physician practice referenced in section (3) of § 5-37.9-2 "Physician practice" means a medical practice owned or operated by one or more licensed physicians providing outpatient care in the State of Rhode Island" could be interpreted quite broadly. OHIC notes that the statute title "The Primary Care Preservation Act" appears to conflict with the proposed legislation as it is not limited to primary care providers. The legislation would also benefit from greater definition of what constitutes a "reasonable charge."

Additionally, the proposed legislation is in direct conflict with OHIC's Network Adequacy Regulation 230-RICR-20-30-9.9.A.1 that provides that:

*"The health care entity must include the following in its network provider contracts:*

*1. A provision protecting beneficiaries to include:*

*a. Ensuring the beneficiary is held harmless from any financial liability beyond in-network cost shares attributable to the failure of a referring network provider to adhere to the referral*

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*process, including by failing to submit the required network plan's referral documents according to the health care entity requirements when there is evidence that the beneficiary sought and received a referral from the network provider. This section is not applicable in cases where the beneficiary has self-referred.*

*b. That in no event, including but not limited to non-payment by the health care entity or intermediary, insolvency of the health care entity or one of its delegates or breach of the health care entity's agreement with a network plan provider, shall the network plan provider bill, charge, collect a deposit from, or seek compensation, remuneration or reimbursement from a beneficiary to include but not limited to facility or administrative fees added to a beneficiary for covered services by the provider; and*

*c. That no beneficiary shall be liable to any provider for charges for covered benefits, except for the amounts due for co-payments, deductibles and/or coinsurance, when provided or made available to enrolled participants by a licensed health maintenance organization, as that term is defined in R.I. Gen. Laws § 27-41-2(t), during a period in which premiums were paid by or on behalf of the enrollee."*

Finally, OHIC notes that the proposed legislation is inconsistent with longstanding statutory and regulatory public health efforts to (a) ensure patient access to necessary medical services and (b) remove barriers to care to encourage Rhode Islanders to routinely obtain no-cost preventive care as well as to promptly seek necessary medical care. It is also inconsistent with efforts to require carriers to increase their primary care spend as well as efforts to reduce patient's out of pocket costs when seeking mental health and substance use disorder treatments.

Thank you for your continued leadership and hard work on all matters related to the health of Rhode Islanders.

Sincerely,



Cory B. King  
Health Insurance Commissioner

CC: Honorable Members of the Senate Committee on Health and Human Services  
Honorable Louis P. DiPalma  
Kristen Silvia, Director of Legislation and Deputy Chief of Staff