

MAY 2022

# OHIC NEWS

The Rhode Island Office of the Health Insurance Commissioner

## BEHAVIORAL HEALTH

### OHIC Continues to Increase Access to Behavioral Health Care

This May, to celebrate Mental Health Awareness month, we are highlighting OHIC's efforts to expand access to behavioral health care services for all Rhode Islanders. Ensuring access to physical and behavioral health care is a core tenet of OHIC's work. The office's statutory authority allows it to collaborate with other state agencies to seek delivery system changes that improve behavioral health and substance use disorder treatment, and also give it the authority to direct insurers towards innovative policies and practices that further integrate physical and behavioral health care delivery. OHIC's concentrated oversight and enforcement of federal and state parity laws are part of the state's multipronged approach to ensuring access to mental health and substance use disorder services in Rhode Island and an essential process in improving parity.

To further ensure adequate access to behavioral health services for all Rhode Islanders, OHIC conducts market conduct exams of all four major commercial health insurers to determine if each carrier is adequately adhering to parity laws. Market Conduct Exams measure compliance with laws and regulations relating to the coverage of mental health and substance use disorder services and play a critical role in eliminating the disparities between physical and behavioral health care. These exams included a review of approvals, denials, and appeals case files. In 2020, following the completion of market conduct examinations of all four of Rhode Island's major insurers, OHIC required each insurer to submit plans of corrections to fix any areas deemed non-compliant in federal and state behavioral health parity laws. All four insurers were ordered by OHIC to contribute to a behavioral health fund created by OHIC at the Rhode Island Foundation to support behavioral health-focused community programs. To learn more about the COVID-19 behavioral health fund view our Twitter, [here](#).

Annual reviews and market conduct examinations are just one segment of OHIC's multi-faceted approach to improving behavioral health care in our state. In addition to advocating for legislation that improves access to behavioral health and substance use disorder treatment, OHIC's Affordability Standards regulations emphasize integration of physical and behavioral health care to improve quality of care and patient satisfaction. The office is in the process of revising these regulations to direct greater investment in behavioral health spending by the state's health insurers in an effort to broaden insurer accountability for improving affordability and health care system performance. The proposed amendments to these regulations are designed to promote the development of a high-quality, well-functioning delivery system capable of serving the comprehensive physical and behavioral health care needs of all Rhode Islanders.



“Rhode Island has a critical need for improved access to behavioral health care services. OHIC is committed to directing health insurers towards innovative practices and policies that will improve behavioral health treatment access and quality, and provide necessary investments into these important services.”

**Patrick M. Tighe**

*Rhode Island Health Insurance Commissioner*

## OHIC Finalizes Network Adequacy and Provider Directory Review of Rhode Island's Four Major Commercial Health Insurers

Earlier this month OHIC released four market conduct examination reports that outline the results of the office's review of each major commercial health insurer's compliance with state law and regulation related to network adequacy and provider directories. These examinations are important steps taken by OHIC to ensure that Rhode Islanders have access to a sufficient choice of providers and timely access to the health care services promised to them under their health insurance contracts.

The four reports pertain to examinations of Blue Cross & Blue Shield of Rhode Island (BCBSRI), Neighborhood Health Plan of Rhode Island (Neighborhood), Tufts Associated Health Maintenance Organization/Tufts Insurance Company (THP), and UnitedHealthcare Insurance Company/UnitedHealthcare of New England (United). Following the examinations, all four insurers were found to be non-compliant with various areas that OHIC reviewed. OHIC issued a set of individual recommendations to each insurer directing them to implement corrective actions in each area of concern and each area deemed non-compliant with state law and regulation.

In lieu of penalties, each insurer was ordered by OHIC to make a financial investment in either the perinatal or doula workforce communities in Rhode Island. In support of doula workforce development and training, BCBSRI is investing \$100,000 and Neighborhood is investing \$75,000. THP and United are contributing to a Rhode Island Foundation fund to support Rhode Island's perinatal workforce, including support for the doula workforce community. THP is contributing \$100,000 and United is contributing \$275,000.

All four examinations involved a detailed review of each of the insurers' complaint and grievance processes, network adequacy, maintenance of accurate and complete provider directories, and other aspects of quality assurance. OHIC's examiners reviewed credentialing and recredentialing records, claims logs, network adequacy methodology documents, complaint reports, and other documents within a set time frame to determine if the insurers were compliant with state law and regulation. To view the full reports, please [click here](#).

## Financial Performance and Operating Costs for Rhode Island's Hospitals Made Accessible and Transparent

OHIC, leveraging work completed by the National Academy for State Health Policy (NASHP) using the [NASHP Hospital Cost Tool](#), made available today comprehensive information on the financial performance and operating costs of Rhode Island's hospitals overall and specific to the commercial market, Medicaid, and Medicare. The information includes a [cover letter](#), and analysis based on data from 2011 through 2020. A downloadable data file is posted under Analysis of Rhode Island Hospitals' Financial Performance and Operating Costs on the [OHIC Data Hub](#) along with a [presentation](#).

“It is my hope that this information will inform the vital policy discourse regarding Rhode Island's hospitals as the office—and stakeholders statewide—continue to work together to ensure that the state has a hospital delivery system that has as its features: affordable and predictable cost growth, improved financial stability, and technical innovation in care delivery to support population health management and quality excellence,” [Health Insurance Commissioner Patrick M. Tighe said](#), “NASHP's remarkable work in this area allows for a new level of transparency into hospital finances, which is critical given the degree to which health care spending on hospitals materially affects health insurance premiums and the indispensable role our hospitals play in the health care system.”

To further inform the critical public discourse around the present and future state of health care in Rhode Island, OHIC held a webinar where OHIC and NASHP reviewed the data. To view a recording of that webinar, [click here](#).