



Department of Business Regulation

Insurance Division

1511 Pontiac Avenue, Bldg. 69-2

Cranston, Rhode Island 02920

Insurance Bulletin Number 2022-1

2021 Legislative Changes

The following legislative amendments were enacted to date during the 2021 session of the Rhode Island General Assembly. This information is being provided in accordance with R.I. Gen. Laws § 27-71-14(a). This bulletin is being provided for informational purposes only and may not be an all-inclusive list of enactments that impact the insurance industry. Licensees should refer to the statute itself to determine the impact. Any person wishing to be included in these annual notifications pursuant to [R.I. Gen. Laws § 27-71-14\(b\)](#) who is not currently on the interested parties list may sign up for email updates by clicking [here](#).

Financial Bill

[5780aaa](#)

[2021 P.L. ch. 231](#)

Effective July 8, 2021

[980aa](#)

[2021 P.L. ch. 230](#)

Effective July 8, 2021

This legislation brings the provisions of the Credit for Reinsurance, Insurance Holding Company Act and Risk Based Capital Life Trend Test into conformance with the most recent versions of the National Association of Insurance Commissioners Model (NAIC) Acts.

Risk Based Capital

[6122aa, Article 3](#)

[2021 P.L. ch 162, Article 3](#)

Effective January 1, 2022

This legislation brings the Risk Based Capital Life Trend Test into conformance with the most recent version of the NAIC Model Act.

Joint Tortfeasors

[5560](#)

[2021 P.L. ch. 411](#)

Effective July 14, 2021

[733](#)

[2021 P.L. ch. 410](#)

Effective July 14, 2021

This legislation changes the law on joint tortfeasors and provides that a release by the injured person of one joint tortfeasor relieves that tortfeasor from liability to make contribution to another joint tortfeasor.

Residential Rental Insurance

5573A	2021 P.L. ch. 323	Effective January 1, 2022
718A	2021 P.L. ch. 210	Effective January 1, 2022

This legislation requires residential landlords to maintain a general liability policy with minimum limits of \$100,000 for persons injured on the premises due to the negligence of the landlord.

Wrongful Death Damages

5581A	2021 P.L. ch. 341	Effective July 12, 2021
513A	2021 P.L. ch. 342	Effective July 12, 2021

This legislation adds damages for emotional distress, grief and loss of enjoyment of life to loss of consortium as a result of a wrongful death.

Life Settlement Providers

5599	2021 P.L. ch. 401	Effective July 13, 2021
1001	2021 P.L. ch. 400	Effective July 13, 2021

This legislation removes “moral turpitude” as a basis for denial of a life settlement provider license.

Products Liability

5867A	2021 P.L. ch. 388	Effective July 13, 2021
736A	2021 P.L. ch. 387	Effective July 13, 2021

This legislation makes a subsequent alteration defense in a products liability case subject to comparative negligence.

Compulsory Automobile Insurance

5979	2021 P.L. ch. 106	Effective July 1, 2021
675	2021 P.L. ch. 105	Effective July 1, 2021

This legislation extends compulsory automobile insurance to those vehicles required to be registered in addition to those vehicles that are registered.

Unfair Claims Settlement Practices Act

6324	2021 P.L. ch. 427	Effective January 4, 2022
870	2021 P.L. ch. 426	Effective January 4, 2022

This legislation adds to language to subsections (21) and (25)(v) and adds new section (27) regarding payment for “sublet services” and “industry standard markup.”

Rental Car Loss of Use

6052A	2021 P.L. ch. 265	Effective July 14, 2021
884A	2021 P.L. ch. 260	Effective July 14, 2021

This legislation clarified that the existing statute applies to collision and comprehensive losses in addition to liability.

DMV Insurance and Security Statutes

6054	2021 P.L. ch. 399	Effective July 14, 2021
401	2021 P.L. ch. 398	Effective July 14, 2021

This legislation amends DMV statutes related to the filing of security or bond with the DMV and makes technical changes to the laws related to uninsured motorist coverage.

Deceptive Trade Practices

6142A	2021 P.L. ch. 329	Effective July 9, 2021
684A	2021 P.L. ch. 206	Effective July 7, 2021

This legislation clarifies the Attorney General's authority to enforce the general Deceptive Trade Practices Act.

Auto Salvage Title

6188A	2021 P.L. ch. 423	Effective July 20, 2021
774A	2021 P.L. ch. 424	Effective July 20, 2021

This legislation amends an existing DMV statute and sets forth how an insurer may apply for a salvage title and amends other provisions related to salvage vehicle titles.

Statutory Cleanup

6428	2021 P.L. ch. 395	Effective July 14, 2021
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This legislation makes technical non-substantive corrections to § 27-2.4-16 and Chapter 27-74.

Workers Compensation Updates

6376A	2021 P.L. ch. 403	Effective January 1, 2022
937A	2021 P.L. ch. 402	Effective January 1, 2022

This legislation updates the burden of proof for recurrences of injuries, adds a time limit and penalty for payments due per a court order, and adjusts payments for post-January 1, 2022 partial and total injuries.

Colorectal Cancer Screening

5432A	2021 P.L. ch. 008	Effective January 1, 2022
383aa	2021 P.L. ch. 007	Effective January 1, 2022

This legislation ensures insurance coverage for certain prostate and colorectal preventive screening examinations and prohibits cost sharing for certain services related to colorectal screening examinations.

Gender Based Rates for Health Insurance

5763	2021 P.L. ch. 88	Effective January 1, 2023
3A	2021 P.L. ch. 89	Effective January 1, 2023

This legislation prohibits insurance companies from varying the premium rates charged for a health coverage plan based on the gender of the individual policy holder, enrollee, subscriber, or member.

Telemedicine Coverage

6032A	2021 P.L. ch. 199	Effective July 6, 2021
4B	2021 P.L. ch. 184	Effective July 6, 2021

This legislation amends provisions of The Telemedicine Coverage Act and provides coverage for telemedicine for medically necessary and clinically appropriate telemedicine services. This legislation further provides that dentists practicing telemedicine are subject to the same standard of care as would apply to dental services provided in person.

Confidentiality of Health Care Communications

5370A	2021 P.L. ch. 212	Effective January 1, 2022
62A	2021 P.L. ch. 213	Effective January 1, 2022

This legislation requires a health insurer to accommodate a request for communication in the form and format requested by the insured individual, if it is readily producible in the requested form and format, including to provide such medical information to a specific mail or email address or specific telephone number, as designated by the insured individual.

Out-of-Pocket Costs Related to COVID-19

6208A	2021 P.L. ch. 145	Effective July 3, 2021
877A	2021 P.L. ch. 161	Effective July 3, 2021

This legislation prohibits insurance carriers from imposing any out-of-pocket expenses to the insured for COVID-19 related services while the COVID-19 state of emergency order is in effect. This legislation further prohibits insurance carriers from imposing any out-of-pocket expenses to the insured for COVID-19 testing and COVID-19 vaccination during and after the expiration of the state of emergency order.

Limit Insulin Copayments

5196A	2021 P.L. ch. 110	Effective January 1, 2022
170B	2021 P.L. ch. 163	Effective January 1, 2022

This legislation provides that health plans that provide coverage for prescription insulin drugs used to treat diabetes shall only be allowed to impose up to a forty dollars (\$40.00) copayment for a thirty (30) day supply of a covered prescription insulin drug. This legislation further provides that coverage for prescription insulin drugs shall not be subject to any deductible.

Health Care Coverage for Perinatal Doula Services

484A	2021 P.L. ch. 209	Effective July 1, 2022
5929A	2021 P.L. ch. 321	Effective July 1, 2022

This legislation provides for health care coverage by health insurance companies for perinatal doula services.

Health Insurance Plans Barred from Prohibiting Pharmacists Disclosing Reimbursement Criteria

6477A	2021 P.L. ch. 164	Effective July 6, 2021
497A	2021 P.L. ch. 165	Effective July 6, 2021

This legislation bars health insurance plans from prohibiting pharmacists from discussing information with an insured regarding the amount of the insured’s cost share for a prescription drug and also provides that pharmacy benefits managers may not penalize a pharmacy or pharmacist for disclosing such pricing information or for selling a lower-priced drug to an insured.

Copies of Rhode Island [Insurance Regulations](#), [Insurance Bulletins](#) and applicable [Rhode Island General Laws](#) are accessible through these links or by visiting the Department’s website at www.dbr.ri.gov. Copies of the [Senate](#) and [House](#) bills are accessible through these links or by visiting the Rhode Island General Assembly website at www.rilin.state.ri.us. In light of the above amendments, insurers are required to review current policy forms, rules and rates to determine if new and/or revised filings are required and to timely submit such filings in SERFF for the Department’s review and approval.