Senate File 105 - Introduced

SENATE FILE 105 BY DONAHUE

A BILL FOR

- 1 An Act relating to insurance coverage for acupuncture.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 148E.9, Code 2023, is amended to read as 2 follows:
- 3 148E.9 Accident and health insurance coverage.
- 4 This chapter shall not be construed to require accident and
- 5 health insurance coverage for acupuncture services under an
- 6 existing or future contract or policy for insurance issued or
- 7 issued for delivery in this state, unless otherwise provided by
- 8 the contract or policy, or as required by section 514C.36.
- 9 Sec. 2. NEW SECTION. 514C.36 Acupuncture coverage.
- 10 l. As used in this section, unless the context otherwise
- ll requires:
- 12 a. "Acupuncture" means the same as defined in section
- 13 148E.1.
- 14 b. "Acupuncturist" means a person who is engaged in the
- 15 practice of acupuncture and who is licensed pursuant to section
- 16 148E.2.
- 17 c. "Cost-sharing" means any coverage limit, copayment,
- 18 coinsurance, deductible, or other out-of-pocket expense
- 19 obligation imposed on a covered person by a policy, contract,
- 20 or plan providing for third-party payment or prepayment of
- 21 health or medical expenses.
- 22 d. "Covered person" means a policyholder, subscriber, or
- 23 other person participating in a policy, contract, or plan that
- 24 provides for third-party payment or prepayment of health or
- 25 medical expenses.
- 26 e. "Health carrier" means the same as defined in section
- 27 514J.102.
- 28 f. "Practice of acupuncture" means the same as defined in
- 29 section 148E.1.
- 30 2. a. Notwithstanding the uniformity of treatment
- 31 requirements of section 514C.6, a health carrier that offers
- 32 individual, group, or small group contracts, policies, or
- 33 plans in this state that provide for third-party payment or
- 34 prepayment of health or medical expenses shall offer coverage
- 35 for acupuncture performed by an acupuncturist.

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- 1 b. Coverage required under this section shall not be less
- 2 favorable than coverage a health carrier offers for general
- 3 physical illness.
- 4 c. Cost-sharing requirements imposed for coverage
- 5 required under this section shall not be less favorable than
- 6 cost-sharing requirements imposed by a health carrier for
- 7 general physical illness.
- 8 3. a. This section shall apply to the following classes
- 9 of third-party payment provider contracts, policies, or plans
- 10 delivered, issued for delivery, continued, or renewed in this
- 11 state on or after January 1, 2024:
- 12 (1) Individual or group accident and sickness insurance
- 13 providing coverage on an expense-incurred basis.
- 14 (2) An individual or group hospital or medical service
- 15 contract issued pursuant to chapter 509, 514, or 514A.
- 16 (3) An individual or group health maintenance organization
- 17 contract regulated under chapter 514B.
- 18 (4) A plan established for public employees pursuant to
- 19 chapter 509A.
- 20 b. This section shall not apply to accident-only,
- 21 specified disease, short-term hospital or medical, hospital
- 22 confinement indemnity, credit, dental, vision, Medicare
- 23 supplement, long-term care, basic hospital and medical-surgical
- 24 expense coverage as defined by the commissioner, disability
- 25 income insurance coverage, coverage issued as a supplement
- 26 to liability insurance, workers' compensation or similar
- 27 insurance, or automobile medical payment insurance.
- 28 4. The commissioner of insurance may adopt rules pursuant to
- 29 chapter 17A to administer this section.
- 30 EXPLANATION
- 31 The inclusion of this explanation does not constitute agreement with
- 32 the explanation's substance by the members of the general assembly.
- 33 This bill relates to insurance coverage for acupuncture.
- "Acupuncture" is defined in the bill as a form of health
- 35 care developed from traditional and modern oriental medical

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- 1 concepts that employs oriental medical diagnosis and treatment,
- 2 and adjunctive therapies and diagnostic techniques, for the
- 3 promotion, maintenance, and restoration of health and the
- 4 prevention of disease.
- 5 The bill requires a policy, contract, or plan providing
- 6 for third-party payment or prepayment of health or medical
- 7 expenses to offer coverage for acupuncture performed by an
- 8 acupuncturist. "Acupuncturist" is defined as a person who is
- 9 engaged in the practice of acupuncture and who is licensed
- 10 pursuant to Code section 148E.2. "Practice of acupuncture" is
- 11 also defined in the bill. Coverage required under the bill
- 12 shall not be less favorable than coverage a health carrier
- 13 offers for general physical illness. Cost-sharing requirements
- 14 imposed for coverage required under the bill shall not be
- 15 less favorable than cost-sharing requirements imposed by a
- 16 health carrier for general physical illness. "Cost-sharing"
- 17 is defined in the bill.
- 18 The bill applies to third-party payment providers enumerated
- 19 in the bill. The bill specifies the types of specialized
- 20 health-related insurance which are not subject to the bill.
- 21 The commissioner of insurance may adopt rules to administer
- 22 the bill.
- 23 The bill applies to third-party payment provider contracts,
- 24 policies, or plans delivered, issued for delivery, continued,
- 25 or renewed in this state on or after January 1, 2024.
- 26 The bill makes conforming changes to Code section 148E.9.