Rhode Island passes bill mandating insurance coverage

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Providence - An hour before midnight on July 2, 2003, the Rhode Island General Assembly passed a groundbreaking bill requiring health insurance companies to cover longterm intravenous antibiotic treatment for Lyme-disease patients, beginning in 2004. The bill’s passage marks a victory for the Lyme Disease Association, Rhode Island Chapter (LDARIC), whose co-chairs Lisa Larisa and Julie Merola, along with support group leader Janice Dey, were present when it passed. Governor Donald Carcieri signed the bill, Lyme Disease Diagnosis and Treatment Act (H6136 SubA/ S1173), on July 7. The vote followed testimony before the committee by LDARIC, patients and a physician advocating for the passage of the bill.

The state’s leading health insurance companies, Blue Cross & Blue Shield of Rhode Island and UnitedHealthcare of New England, opposed the bill, saying there is no evidence that long-term treatment is effective.

Rep. Raymond E. Gallison Jr., D-Bristol, one of the bill’s sponsors, told the Providence Journal that the bill almost fell apart during the last week as insurance company representatives proposed amendments that would limit the length of treatment to 12 weeks and narrow the type of doctors who could prescribe intravenous antibiotics. Covered treatments typically last four to six weeks. Promoters agreed to a compromise to enable the bill to pass with no amendments - a sunset provision will cause the bill will expire at the end of 2004, so that its impact may be assessed and evaluated by the legislature to determine further action.

Joseph S. Larisa Jr., a consultant and former chief of staff for Gov. Lincoln C. Almond, said patients whose policies are renewed next summer will be eligible for a full year of treatment, into 2005. Larisa, who is also Lisa Larisa’s brother, helped organize last year’s Lyme disease commission. He said he isn’t discouraged by the temporary nature of the bill.

LDARIC co-chair Lisa Larisa, present at the late night senate vote, was elated over the passage. She was opposed to limiting treatment duration. The sunset provision was the only change acceptable to LDARIC. Critics of a similar bill in Connecticut several years ago say treatment limitations discriminate unfairly against the sickest patients “Anything less than what was passed would not have benefited Lyme patients,” Ms. Larisa said. She thanked the House and Senate, and in particular, Representative Raymond E. Gallison Jr., D-Bristol and Senator Michael J. Damiani, DEast Providence, for their sponsorship of the bills.

“We are grateful,” said Ms. Larisa, “to Rep. Gallison for initiating the House bill after constituent input, and for his efforts in achieving unanimous passage. Senator Damiani kept the ball rolling with his monumental efforts to pass an intact bill which strongly protects patients’ rights.”
LDARIC co-chair Julie Merolla, who provided compelling testimony before a RI Senate committee hearing on the bill, was jubilant. Her son is severely afflicted with Lyme disease and has had difficulty obtaining treatment reimbursement.

“This is a victory for Lyme patients, especially our children,” she stated. “They are sick and struggling with this disease, and now maybe they will have one less thing to worry about and can concentrate on getting well.”

New Chapter of LDA

LDARIC is a newly formed Chapter of the national Lyme Disease Association (LDA), a New Jersey based non-profit which raises money for research and education. Larisa said they worked with the LDA on the bills that passed last year in Rhode Island and decided they shared common goals.

“We liked the way the LDA freely gave us advice and assisted us in bringing in doctors researchers to testify at the hearings last year,” she said. “Their only goal was to help Lyme patients. They are all-volunteer, like us. By joining them, we will be able to help patients not only in Rhode Island but across the country.”

“This law is a jumping off point,” says LDA president Pat Smith, who also provided committee testimony. “We are working nationwide with our affiliates and chapters to educate state and federal officials to the problems associated with Lyme disease, so that patients are not only able to receive treatment reimbursements, but also that physicians are able to freely diagnose and treat as physicians are trained to do.”

She was alluding to the successful passage last year in RI of the Lyme Disease Diagnosis Treatment Act, which permits physicians to treat without interference by the medical licensing board, a situation facing doctors in many areas of the country.

“The Rhode Island legislature has been able to see the long range picture here and realize that ignoring patients is not going to solve the problem. They are dealing with it head on,” said Ms. Smith. “It is a patient bill, not a vested interest bill.”

According to an article in the Providence Journal, Blue Cross & Blue Shield received between 30 and 40 requests for intravenous treatment of Lyme disease last year, in most cases from 4 to 6 weeks. Blue Cross has balked at paying for the care beyond the standard period in nearly all cases. Through January, the company denied extending the care in all but one of 16 cases. Last August, the health insurance agency had agreed to cover intravenous antibiotic treatment in a letter stating:

“Neither Blue Cross, nor the independent reviewer, shall contest, reverse or deny coverage based upon a physician’s order of long-term antibiotic therapy solely on the grounds that such treatment may be characterized as unproven, experimental or investigational in nature.”

The agreement was revoked in January 2003, after the state Health Department found the health insurance company’s “process was not complying with the agreement,” said Robert J. Marshall Jr., spokesman for the Health Department.

The LDARIC thanks all the Rhode Island support groups and citizens for participating in the effort to pass this bill. It also thanks all others, including Internet groups, who supported the massive effort.