

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 699

Short Title: Insurance Equality Statute.

(Public)

Sponsors: Senators Odom, Sands, Soles, Sherron, and Hunt.

Referred to: Insurance.

April 18, 1991

A BILL TO BE ENTITLED

AN ACT TO FULFILL THE INTENT OF THE INSURANCE EQUALITY STATUTE
BY CORRECTING OMISSIONS IN THAT STATUTE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-50-30 reads as rewritten:

"§ 58-50-30. Discrimination forbidden; right to choose services of optometrist, podiatrist, dentist or chiropractor.

Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by Articles 47 and 49 through 53 of this Chapter, or in the benefits payable thereon, or in any of the terms or conditions of such policy, or in any other manner whatsoever, is prohibited.

Whenever any policy of insurance governed by Articles 1 through 64 of this Chapter provides for payment of or reimbursement for any service rendered in connection with a condition or complaint which is within the scope of practice of a duly licensed optometrist, or duly licensed podiatrist, or a duly licensed dentist, or duly licensed ~~chiropractor, chiropractic physician,~~ or duly licensed practicing psychologist, the insured or other persons entitled to benefits under such policy shall be entitled to payment of or reimbursement for such services, whether such services be performed by a duly licensed physician or a duly licensed optometrist, or a duly licensed podiatrist, or a duly licensed dentist or a duly licensed ~~chiropractor, chiropractic physician,~~ or a duly licensed practicing psychologist, notwithstanding any provision contained in such policy. Whenever any policy of insurance governed by Articles 1 through 64 of this Chapter provides for certification of disability which is within the scope of practice of a duly licensed physician, or a duly licensed optometrist, or a duly licensed podiatrist, or a duly

1 licensed dentist, or a duly licensed ~~chiropractor~~, chiropractic physician, or a duly
2 licensed practicing psychologist, the insured or other persons entitled to benefits under
3 such policy shall be entitled to payment of or reimbursement for such disability whether
4 such disability be certified by a duly licensed physician, or a duly licensed optometrist,
5 or a duly licensed podiatrist, or a duly licensed dentist, or a duly licensed ~~chiropractor~~,
6 chiropractic physician, or a duly licensed practicing psychologist, notwithstanding any
7 provisions contained in such policy. The policyholder, insured, or beneficiary shall
8 have the right to choose the provider of such services notwithstanding any provision to
9 the contrary in any other statute.

10 Whenever any policy of insurance provides coverage for necessary treatment, the
11 insurer shall not impose any limitations on treatment if performed by a duly licensed
12 optometrist, a duly licensed podiatrist, a duly licensed dentist, a duly licensed
13 chiropractic physician, or a duly licensed practicing psychologist, acting within the
14 scope of his practice, unless the same limitation is imposed on treatment if performed
15 by any other licensed physician.

16 No insurer shall issue a policy which has the effect, in its actual application, of
17 denying coverage for those services routinely offered by an entire category of licensed
18 health-care providers.

19 For the purposes of this section, a 'duly licensed practicing psychologist' shall be
20 defined to only include a psychologist who is duly licensed or certified in the State of
21 North Carolina and has a doctorate degree in psychology and at least two years clinical
22 experience in a recognized health setting, or has met the standards of the National
23 Register of Health Providers in Psychology."

24 Sec. 2. This act is effective upon ratification.