

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 699  
Insurance Committee Substitute Adopted 5/15/91

Short Title: Insurance Equality Statute.

(Public)

Sponsors:

Referred to:

April 18, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO FULFILL THE INTENT OF THE INSURANCE EQUALITY STATUTE  
3 BY CORRECTING OMISSIONS IN THAT STATUTE.

4 The General Assembly of North Carolina enacts:

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

6 "**§ 58-50-30. Discrimination forbidden; right to choose services of optometrist,  
7 podiatrist, dentist or chiropractor.**

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

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

1 or a duly licensed podiatrist, or a duly licensed dentist, or a duly licensed chiropractor,  
2 or a duly licensed practicing psychologist, the insured or other persons entitled to  
3 benefits under such policy shall be entitled to payment of or reimbursement for such  
4 disability whether such disability be certified by a duly licensed physician, or a duly  
5 licensed optometrist, or a duly licensed podiatrist, or a duly licensed dentist, or a duly  
6 licensed chiropractor, 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 treatment rendered in  
11 connection with a condition or complaint, the insurer shall not impose any limitations  
12 on treatment if performed by a duly licensed chiropractor acting within the scope of that  
13 person's practice, unless a comparable limitation is imposed on treatment if performed  
14 by any duly licensed physician treating the same condition or complaint.

15 As long as parity in health care coverage is maintained, nothing in this section is  
16 intended to restrict or prohibit the insurance provider or private employer from  
17 establishing limits on usual, customary, and reasonable health care coverage.

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

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