

Insurance

Sub. H.B. 156

Reps. Schuring, Retherford, Anielski, Boyd, Dever, Henne, Holmes, Landis, Lanese, Lepore-Hagan, Manning, Miller, Patton, Pelanda, Reineke, Rogers, Ryan, Schaffer, Scherer, Slaby, K. Smith, West

Sens. Gardner, Hackett, Hottinger, Manning, O'Brien, Peterson, Terhar, Uecker, Wilson

Effective date: March 20, 2019

- Prohibits specified terms from being included in health care contracts between a vision care provider and an entity that contracts with the provider for delivery of services.
- Prohibits a contracting entity from requiring that a vision care provider accept a payment amount set by the contracting entity for vision care services or materials unless those services or materials are covered services.
- Imposes disclosure requirements on health insurers regarding vision care services and materials that are not covered services.
- Makes a violation of the above provisions an unfair and deceptive act in the business of insurance.
- Imposes disclosure requirements on vision care providers regarding vision care materials and services that are not covered or are out-of-network.
- Subjects providers who violate the above disclosure requirements to professional discipline.

Sub. S.B. 265

Sens. Dolan, Beagle, Brown, Coley, Eklund, Gardner, Hackett, Hoagland, Hottinger, Huffman, Kunze, Lehner, Manning, Obhof, O'Brien, Schiavoni, Thomas, Uecker, Wilson, Yuko

Reps. Anielski, Blessing, Brown, Carfagna, Craig, Cupp, Fedor, Galonski, Ginter, Green, Holmes, Ingram, T. Johnson, Kent, Koehler, LaTourette, Leland, Lipps, Miller, O'Brien, Patterson, Patton, Perales, Reineke, Retherford, Riedel, Roegner, Rogers, Ryan, Schaffer, Scherer, Sheehy, K. Smith, T. Smith, Sprague, Strahorn, Sykes, West, Wiggam, R. Smith

Effective date: April 5, 2019

Pharmacist-provided services

- Authorizes health plan issuers to pay or reimburse pharmacists for all health services that a pharmacist is legally authorized to provide and that are covered by the health benefit plan.

- Explicitly authorizes pharmacists to provide certain types of services at multi-purpose senior centers, jails, state correctional institutions, ambulatory surgical facilities, hospices, and pediatric respite care programs.
- Explicitly authorizes health insuring corporations, health care practitioners, and organized health care groups to hire pharmacists.
- Allows pharmacists to enter into contracts with contracting entities under the Health Care Contract Law.

Step therapy

- Imposes requirements on health plan issuers that implement a step therapy protocol with regard to prescription drugs.
- Requires health plan issuers to provide a process by which a provider can request a step therapy exemption.
- Imposes deadlines by which a step therapy exemption request or appeal must either be granted or denied.
- Specifies circumstances in which a step therapy exemption must be granted.
- Requires health plan issuers to make disclosures with regard to a step therapy protocol.
- Applies these requirements with regard to the Department of Medicaid.

Sub. S.B. 273

Sens. Hackett, Hottinger, Brown, Burke

Reps. Anielski, Craig, Galonski, Hambley, Henne, Hughes, Lang, LaTourette, Miller, Pelanda, Perales, Reineke, K. Smith, T. Smith, Sprague, R. Smith

Effective date: March 20, 2019

Insurance rating agency

- Defines "insurance rating agency" for purposes of the Revised Code as any rating agency certified or approved by a national entity that has an approval process that meets specified criteria.

Cybersecurity

- Requires insurers to implement an information security program based on the results of a risk assessment in order to safeguard certain business and personal information.
- Requires insurers to develop a formal incident response plan to respond to a cybersecurity event – the unauthorized access to, disruption of, or misuse of an

information system, or nonpublic information on it, that likely materially harms Ohio consumers or any material part of the insurer's normal operations.

- Requires insurers to certify compliance with the act's information security program requirements to the Superintendent of Insurance and gives compliant insurers an affirmative defense to certain actions.
- Requires insurers to investigate cybersecurity events, take reasonable measures to restore security, and notify certain parties of a cybersecurity event.
- Provides that certain information relating to a cybersecurity event is confidential, privileged, and not subject to disclosure except under limited circumstances.
- Exempts certain small insurers from the information security program requirements and deems HIPAA-compliant insurers as meeting those requirements.

Motor vehicle ancillary product protection contracts

- Merges the motor vehicle tire or wheel road hazard contract provisions into the motor vehicle ancillary product protection (MVAPP) contract provisions.
- Adds a contract for key replacement as a type of MVAPP contract.
- Allows MVAPP contracts to provide for incidental payment of indemnity under limited circumstances including towing, rental, and emergency road services.
- Exempts a contract that is only for prepaid routine, scheduled maintenance from the definition of a MVAPP contract and from the definition of a consumer goods service contract.

Surplus lines insurance

- Authorizes domestic insurers to offer surplus lines insurance products as domestic surplus lines insurers.
- Exempts domestic surplus lines insurers from most insurance laws for the purpose of writing surplus lines.
- Allows surplus lines brokers to obtain coverage for a person from a domestic surplus lines insurer.

Cancellation of certain insurance policies

- Allows an insurer to include a notice of cancellation for nonpayment of premium with a billing notice for a policy of commercial property insurance, commercial fire insurance, commercial casualty insurance other than fidelity or surety bonds, and medical malpractice insurance.

Regulatory authority

- Specifies that nothing in the Health Care Contract Law provisions relating to the termination of health care contracts is to be construed to expand the regulatory authority of the Superintendent of Insurance over vision care providers.