

**§ 58-3-176. Treatment discussions not limited.**

- (a) An insurer shall not limit either of the following:
  - (1) The participating plan provider's ability to discuss with an enrollee the clinical treatment options medically available, the risks associated with the treatments, or a recommended course of treatment.
  - (2) The participating plan provider's professional obligations to patients as specified under the provider's professional license.
- (b) Nothing in this section shall be construed to expand or revise the scope of benefits covered by a health benefit plan.
- (c) As used in this section:
  - (1) "Health benefit plan" means any of the following if written by an insurer: an accident and health insurance policy or certificate; a nonprofit hospital or medical service corporation contract; a health maintenance organization subscriber contract; or a plan provided by a multiple employer welfare arrangement. "Health benefit plan" does not mean any plan implemented or administered through the Department of Health and Human Services or its representatives. "Health benefit plan" also does not mean any of the following kinds of insurance:
    - a. Accident.
    - b. Credit.
    - c. Disability income.
    - d. Long-term or nursing home care.
    - e. Medicare supplement.
    - f. Specified disease.
    - g. Dental or vision.
    - h. Coverage issued as a supplement to liability insurance.
    - i. Workers' compensation.
    - j. Medical payments under automobile or homeowners insurance.
    - k. Hospital income or indemnity.
    - l. Insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability policy or equivalent self-insurance.
  - (2) "Insurer" means an entity that writes a health benefit plan and that is an insurance company subject to this Chapter, a service corporation under Article 65 of this Chapter, a health maintenance organization under Article 67 of this Chapter, or a multiple employer welfare arrangement under Article 50A of this Chapter. (1997-443, s. 11A.122; 1997-474, s. 1; 2019-202, s. 8.)