Frequently Asked Questions
The Implications of Massachusetts Health Care Reform for Rhode Island Employers, Residents, and Providers

OHIC
233 Richmond Street, Providence, RI 02903
HealthInsuranceInquiry@ohic.ri.gov
401.222.5424

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General Information

1. **What is going on in Massachusetts with health care reform?**

On April 12, 2006, Chapter 58 of the Acts of 2006- "An Act Providing Access to Affordable, Quality, Accountable Health Care” became law in Massachusetts. It reformed the health care system in an attempt to reduce the number of uninsured Massachusetts residents. The law requires all Massachusetts residents to carry health insurance coverage, requires Massachusetts businesses with 11 or more full-time-equivalent employees to make a “fair and reasonable” contribution to employee health benefits, and created the Commonwealth Health Insurance Connector Authority (or Commonwealth Connector for short) to administer the law and help residents obtain affordable coverage.

Rhode Island Employers

2. **I am a Rhode Island employer who employs Massachusetts residents, what do I have to do under the law?**

Rhode Island employers are subject to Rhode Island law and have no obligations under Massachusetts health care reform even if they employ Massachusetts residents. If you offer health insurance coverage that meets minimum Massachusetts standards, any Massachusetts resident who receives coverage through you is in compliance with the individual mandate. If you do not offer health insurance coverage or a Massachusetts resident whom you employ elects not to enroll in coverage you offer, they will have to purchase health insurance through another source to meet the requirements of the Massachusetts individual mandate. For more information about minimum Massachusetts standards for health insurance, please click [here](#) (external site).

3. **I am a Rhode Island employer who has a business location in Massachusetts, what do I have to do under the law?**

You are subject to Massachusetts law for only your Massachusetts locations and have several obligations under the Massachusetts health reform including but not limited to establishing at least a Section 125 Plan for most employees if you employ 11 or more workers at your Massachusetts locations. Please click [here](#) for more detailed information.

Rhode Island Residents

4. **I am a Rhode Island resident but I work in Massachusetts, what do I have to do under the law?**

As a Rhode Island resident, you are not subject to the individual mandate to carry health insurance coverage and have no obligations under the Massachusetts reform law.

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5. I am a Rhode Island resident but I work in Massachusetts, does my employer have to offer me health insurance coverage?

If your Massachusetts employer has 11 or more full-time-equivalent (external site) employees, it must either: contribute toward the cost of a health insurance plan for its employees or make a payment to Massachusetts of up to $295 per employee, per year as a penalty. In addition, your employer must maintain a Section 125 Plan (external site) that meets Commonwealth Connector regulations and allows you to purchase health insurance on a pre-tax basis. If employers do not do this, they may be charged for part of the “free care” used by their employees or their employees’ dependents at hospitals and health centers. In order to qualify as offering health insurance under Massachusetts law, an employer must offer at least a Section 125 plan to all of its employees working at Massachusetts locations—even if they reside outside of Massachusetts.

6. I am a Rhode Island resident but I work in Massachusetts, if my employer chooses to set-up a Section 125 Plan so I can use pre-tax dollars to purchase health insurance through the Commonwealth Connector, will I be eligible to do so?

At this time, Rhode Island residents who work for MA employers that do not contribute anything to the cost of health insurance but set-up a Section 125 Plan that allows employees to purchase insurance plans on a pre-tax basis do not have access to plans purchased through the Commonwealth Connector. The Connector is in the process of exploring options with the Massachusetts legislature to change this provision of the law but it may not be changed. As a Rhode Island resident who is not eligible for employer-sponsored insurance, however, you will be eligible for insurance in the individual or association markets in Rhode Island and can use your Section 125 Plan to purchase insurance pre-tax. For additional information about the individual market, please contact Blue Cross Blue Shield of Rhode Island (external site).

Rhode Island residents who work for Massachusetts employers with 50 or less employees will be eligible for some Commonwealth Choice plans once small group insurance products are available. Small group employers will be able to offer certain Commonwealth Choice products as a group insurance plan. This should occur in the coming months. Special attention should be paid to the availability of in-network providers in Rhode Island.

**Rhode Island Providers**

7. I am a Rhode Island provider, will I be able to see any patients who carry insurance plans offered through Commonwealth Choice?

This depends on whether or not your specific health plan contracts include you in one of the plan networks offered by plans available through Commonwealth Choice. Please consult your contracts to be sure. The Connector has asked insurance carriers to co-brand their cards for plans that are offered through Commonwealth Choice but this is not currently being done and these plans are also available to be purchased outside of the Connector market.

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Massachusetts Residents Employed in Rhode Island

8. I am a Massachusetts resident but I work in Rhode Island, what do I have to do under the law?

As a resident of Massachusetts, you are subject to Massachusetts law and must carry health insurance under the terms of the individual mandate. If you have insurance through your Rhode Island employer and it meets minimum Massachusetts standards, you do not need to obtain additional health insurance coverage. If your employer’s coverage does not meet minimum Massachusetts standards, you will have to obtain coverage from some other source. Please click [here](external site) for more information.

More Information

9. If I would like to speak with someone in Massachusetts about health care reform regulations, whom should I contact?

The Commonwealth Connector can be reached via telephone, e-mail, or mail:

Commonwealth Health Insurance Connector Authority
100 City Hall Plaza, 6th Floor
Boston, MA 02108
(877) MA-ENROLL (877-623-6765)
Connector@state.ma.us
http://www.mahealthconnector.org

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