



Legislation on Direct Primary Care Agreements

Compiled by Colleen Becker
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This report is based on enacted legislation excerpted from the NCSL [Health Innovations State Law Online Database](#).¹ Entries to this report are listed alphabetically by state and chronologically by year for each state. This list is not meant to be complete or exhaustive, but is intended for background purposes only.

This search is based on the following filters:

Topics: All Topics

States: All States

Year: All Years

Keyword: direct primary care

Alabama

[AL S 234](#)

2018

Chiropractic Care Agreements

Status: Enacted - Act No. 2018-390

Date of Last Action:* 03/26/2018 - Enacted

Author: Dunn (D) **Additional Authors:** Beasley (D);Singleton (D);Coleman-Madison (D);Orr (R)

Associated Bills: AL H 136 - Companion

Summary: Relates to health care, provides that a chiropractic agreement, as defined, is not to be regulated as insurance, provides that a chiropractor offering, marketing, selling, or entering into a chiropractic agreement is not required to obtain an additional license or certificate of authority, requires that a chiropractic agreement meet certain requirements (resembling direct primary care agreements), provides for the discontinuance of care for a patient under an agreement under certain conditions. [updated 4/2018]

[AL S 94](#)

2017

Health Care Regulations

Status: Enacted - Act No. 2017-460

Date of Last Action:* 05/26/2017 - Enacted

Author: Orr (R)

Summary: Provides that a physician agreement or dentist agreement (similar to a direct primary care

¹ The NCSL database is live online at <http://www.ncsl.org/research/health/health-innovations-database.aspx>

Agreement) is not to be regulated as insurance, provides that a physician or dentist offering, marketing, selling, or entering into a physician or dentist agreement is not required to obtain a license or certificate of authority, requires that a physician agreement and dentist agreement meet certain requirements, provides penalties for physicians and dentists who breach an agreement, provides for the discontinuance of care for a patient under an agreement.

Arkansas

[AR H 2240](#)

2017

Direct Primary Care Agreements and Insurance Regulation

Status: Enacted - Act No. 1020

Date of Last Action:* 04/06/2017 - Enacted

Author: Gonzales (R)

Summary: Exempts direct primary care agreements from insurance regulation. Under medical retainer agreements, patients make monthly payments to a physician or group who in return agrees to provide a menu of routine services at no extra charge. Because no insurance company stands between patient and doctor, the unregulated agreement can result in cost reductions.

Colorado

[CO H 1115](#)

2017

Direct Primary Health Care Services

Status: Enacted - Act No. 151

Date of Last Action:* 04/24/2017 - Enacted

Author: Buck (R) **Additional Authors:** Kefalas (D);Ginal (D);Tate (R)

Summary: Concerns the establishment of direct primary health care agreements to operate without regulation by the Division of Insurance, establishes parameters under which a direct primary care agreement may be implemented, establishes that the agreement is not the business of insurance or the practice of underwriting and does not fall under regulation of the Division of Insurance.

Florida

[FL H 37](#)

2018

Direct Primary Care Agreements

Status: Enacted - Act No. 2018-89

Date of Last Action:* 03/23/2018 - Enacted

Author: Burgess (R) **Additional Authors:** Magar (R);Spano (R);Avila (R);Miller (R);Stevenson (R);Payne (R);White (R)

Associated Bills: FL S 80 - Similar

Summary: Specifies that a direct primary care agreement does not constitute insurance and is not subject to the Florida Insurance Code, specifies that entering into an unregulated direct primary care agreement does not constitute the business of insurance. [Updated 4/2/2018]

Idaho

[ID S 1062](#)

2015

Direct Medical Care Act

Status: Enacted - Act No. 291

Date of Last Action:* 04/09/2015 - Enacted

Author: Commerce and Human Resources Cmt

Summary: Relates to the direct medical care act, provides that direct primary care agreements do not constitute insurance, specifies that direct primary care agreements include provisions for payment of a direct fee, prohibits direct primary care providers from billing insurers for direct primary care, provides that direct primary care agreements shall not be regulated as insurance, requires such agreements to include a disclaimer.

Indiana

[IN S 303](#)

2017

Direct Primary Care Agreements

Status: Enacted - Act No. 108-2017

Date of Last Action:* 04/21/2017 - Enacted

Author: Koch (R)

Summary: Direct primary care agreements, specifies that a direct primary care agreement is not insurance and a primary care provider or an employer of primary care provider that enters into a direct primary care agreement is not required to obtain an insurance certificate of authority, sets forth requirements of a direct primary care agreement.

Iowa

[IA H 2356](#)

2018

Primary Care Health Service Provision Agreements

Status: Enacted - Act No. 1043

Date of Last Action:* 03/28/2018 - Enacted

Author: Human Resources Cmt **Additional Authors:** Heaton (R)

Summary: Relates to direct primary care agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

Kentucky

[KY S 79](#)

2017

Health Care Providers

Status: Enacted - Act No. 25

Date of Last Action:* 03/17/2017 - Enacted

Author: Alvarado (R) **Additional Authors:** Embry (R);Carroll D (R)

Summary: Defines direct primary care membership agreement, establishes conditions for services under a direct primary care membership agreement. Requires that primary care provider shall not bill a health benefit plan or the Medicaid program on a fee-for-service basis for the primary care services provided under the agreement.

Maine

[ME S 472](#)

2018

Direct Primary Care Membership Agreements

Status: Enacted - Act No. 112

Date of Last Action:* 06/01/2017 - Enacted

Author: Whittemore (R) **Additional Authors:** Rosen K (R);Langley (R);Dow (R);Picchiotti (R);Katz (R);Wallace (R);Pickett (R);Prescott D (R);Craig (R)

Summary: Provides that nothing in state law may be construed as prohibiting a patient or legal representative of a patient from seeking care outside of an insurance plan or outside of the Medicaid or Medicare program and paying for such care, provides that nothing in state law may be construed as prohibiting a physician, other medical professional or a medical facility from accepting payment for services or medical products outside of an insurance plan.

Mississippi

[MS S 2687](#)

2015

Direct Primary Care Act

Status: Enacted - Act No. 369

Date of Last Action:* 03/18/2015 - Enacted

Author: Burton (R)

Summary: Creates the State Direct Primary Care Act, provides definitions, provides that a direct primary care agreement shall not be considered to be an insurance product nor shall the primary care provider be considered to be engaging in the business of insurance, provides that a primary care provider or agent of a primary care provider is not required to obtain a certificate of authority or license under the act to market, sell, or offer to sell a direct primary care agreement, relates to primary care services.

Nebraska

[NE L 1119](#)

2018

Direct Primary Care Pilot Program and Right to Shop

Status: Enacted - Signed by Governor

Date of Last Action:* 04/13/2018 - Enacted

Author: Riepe (NP)

Summary: Adopts the Direct Primary Care Pilot Program Act to include direct primary care health plans in the state Insurance Program, provides that under the program the Department of Administrative Services shall provide enrollees at least two different direct primary care health plans including a high-deductible and a low-deductible option for health care coverage outside of primary care, adopts the state Right to Shop Act to allow a patient to compare costs for nonemergency services.

[NE L 817](#)

2016

Direct Primary Care Agreement Act

Status: Enacted - Signed by Governor

Date of Last Action:* 03/30/2016 - Enacted

Author: Riepe (NP)

Summary: Adopts the Direct Primary Care Agreement Act, requires a notice that direct primary care agreements do not constitute insurance or function as a qualified health plan pursuant to any federal mandates, includes groups of physicians, nurses and pediatricians, includes non-profit corporations, provides that direct service charges include a periodic retainer, membership fee or subscription fee, provides that a patient may submit a request for insurer reimbursement if permitted under the insurance policy. [Added 4/11/2016]

Tennessee

[TN S 224](#)

2018

Direct Primary Care Agreement

Status: Enacted - Act No. 163

Date of Last Action:* 04/24/2017 - Enacted

Author: Roberts (R) **Additional Authors:** Bowling (R)

Associated Bills: TN H 334 - Same as

Summary: Relates to Chiropractors Physicians, allows chiropractic physicians to enter into a direct primary care agreement with an individual patient or the patient's legal representative.

[TN S 224](#)

2017

Direct Primary Care Agreement

Status: Enacted - Act No. 163

Date of Last Action:* 04/24/2017 - Enacted

Author: Roberts (R) **Additional Authors:** Bowling (R)

Associated Bills: TN H 334 - Same as

Summary: Relates to Chiropractors Physicians, allows chiropractic physicians to enter into a direct primary care agreement with an individual patient or the patient's legal representative.

[TN S 2443](#)

2016

Health Care Empowerment Act

Status: Enacted - Act No. 996

Date of Last Action:* 04/27/2016 - Enacted

Author: Roberts (R) **Additional Authors:** Crowe (R);Harris (D);Bailey (R);Stevens (R);Green (R);Bowling (R);Yager (R);Bell (R);Tracy (R);Watson B (R);Hensley (R);Gresham (R);Norris (R);Jackson (R)

Associated Bills: TN H 2323 - Same as

Summary: Enacts the Health Care Empowerment Act, authorizes direct primary care agreements, defines such agreements as a written contractual agreement between a primary care physician and an individual patient which meets certain requirements, specifies that a patient or legal representative will not forfeit insurance benefits, TennCare benefits, or Medicare benefits by purchasing medical services or medical products outside the system, requires certain disclosures.

Virginia

[VA S 800](#)

2017

Direct Primary Care Agreements

Status: Enacted - Act No. 831

Date of Last Action:* 04/26/2017 - Enacted

Author: Stanley Wi (R)

Associated Bills: VA H 2053 - Identical

Summary: Relates to direct primary care agreements between a patient, the patient's legal representative, or the patient's employer and a health care provider for ongoing primary care services, provides that the Commonwealth's insurance laws do not apply to direct primary care agreements, provides that a direct primary care practice is not subject to the jurisdiction of the State Corporation Commission and is not required to obtain a certificate of authority or license to market a direct primary care agreement.

[VA H 2053](#)

2017

Direct Primary Care Agreements

Status: Enacted - Act No. 830

Date of Last Action:* 04/26/2017 - Enacted

Author: Landes (R)

Associated Bills: VA S 800 - Identical

Summary: Relates to direct primary care agreements, provides that such agreements are not health insurance, provides that the health care provider does not require patients to pay monthly periodic fees prior to initiation of the coverage period, provides that a health care provider participating in a direct primary care practice may participate in a health insurance carrier network if the provider is able to meet the terms and conditions of network membership of the health insurance carrier, requires disclosure. [Updated 4/10/2017]

West Virginia

[WV H 2301](#)

2017

Direct Primary Care Practice

Status: Enacted - Act No. 175

Date of Last Action:* 03/23/2017 - Enacted

Author: Ellington (R)

Summary: Relates to direct primary care, defines terms, permits individuals to enter into agreements, for direct primary care with an individual or other legal entity authorized to provide primary care services, outside of an insurance plan or outside of the Medicaid or Medicare program and pay for the care outside of insurance plans and the Medicaid or Medicare program, provides that insurance benefits are not forfeited by certain purchases, provides that direct primary care membership agreement is not insurance.

Wyoming

[WY S 49](#)

2016

Direct Primary Care

Status: Enacted - Act No. 6

Date of Last Action:* 02/29/2016 - Enacted

Author: Joint Interim Labor, Health & Social Ser

Summary: Exempts direct primary care agreements between a patient or legal representative and a health care provider that are in exchange for a periodic fee from insurance regulation, specifies disclosure of health care and fees, requires a conspicuous and prominent statement that the agreement is not health insurance and does not meet any individual health insurance mandate required by federal law.