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## DIGEST

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HB 304 Original

2022 Regular Session

Frieman

**Abstract:** Requires health benefits and payment parity equal to in-person services for physical therapy delivered via telehealth.

Proposed law requires a health coverage plan (plan) to pay for covered services provided via telehealth to an insured person. Requires equivalency for telehealth coverage and payment for the same service provided in person, unless the telehealth provider and plan contractually agree to an alternative payment rate. Provides that services via telehealth may be subject to a deductible, copayment, or coinsurance not in excess of the deductible, copayment, or coinsurance required by the plan for in-person services.

Proposed law prohibits a plan from imposing an annual dollar maximum on coverage for healthcare services provided as telehealth, other than an annual dollar maximum that applies to the same services when provided in person by the same provider.

Proposed law requires a plan to provide payment for telehealth services to healthcare professionals licensed or otherwise permitted to practice physical therapy in this state. Further requires telehealth payments to be consistent with any provider network arrangements that have been established for the plan.

Proposed law prohibits a plan from doing any of the following:

- (1) Requiring a previously established in-person relationship or the provider to be physically present with a patient or client, unless the provider determines that it is necessary to perform that service in person.
- (2) Requiring prior authorization, medical review, or administrative clearance for telehealth that would not be required if that service were provided in person.
- (3) Requiring demonstration that it is necessary to provide services to a patient or client as telehealth.
- (4) Requiring a provider to be employed by another provider or agency in order to provide telehealth services that would not be required if that service were provided in person.
- (5) Restricting or denying coverage based solely on the communication technology or application used to provide the telehealth service.

- (6) Imposing specific requirements or limitations on the technologies used to provide telehealth services.
- (7) Imposing additional certification, location, or training requirements as a condition of payment for telehealth services.
- (8) Requiring a provider to be part of a telehealth network.

Nothing in proposed law requires a plan to provide coverage for telehealth services that are not medically necessary or to reimburse any fees charged by a telehealth facility for transmission of a telehealth encounter.

Proposed law authorizes the Department of Insurance to take any action authorized in the La. Insurance Code to enforce the provisions of proposed law and further authorizes the commissioner, in accordance with the APA, to promulgate and adopt rules as necessary or advisable to effectuate proposed law.

Proposed law defines "health coverage plan" and "telehealth".

(Adds R.S. 22:1845.1)