

2020 Regular Session

HOUSE BILL NO. 589

BY REPRESENTATIVE ECHOLS

MEDICAID: Provides for Medicaid policies and procedures concerning telehealth services

1 AN ACT

2 To enact Part V of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:1255.1 and 1255.2, and R.S. 46:460.51(17) and 460.54(G),
4 relative to the medical assistance program of this state known commonly as
5 Medicaid; to provide for duties of the Louisiana Department of Health in
6 administering the state Medicaid program; to provide relative to Medicaid coverage
7 of telehealth services; to provide for the establishment and periodic review of
8 Medicaid policies concerning telehealth services; to provide for policies and
9 procedures in the Medicaid managed care program addressing telehealth services;
10 to provide for definitions; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Part V of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
13 1950, comprised of R.S. 40:1255.1 and 1255.2, is hereby enacted to read as follows:

14 PART V. TELEHEALTH SERVICES IN MEDICAID

15 §1255.1. Definitions

16 As used in this Part, the following terms have the meaning ascribed to them
17 in this Section:

18 (1) "Department" means the Louisiana Department of Health.

19 (2) "Medicaid" means the medical assistance program provided for in Title
20 XIX of the Social Security Act.

21 (3) "Medicare" means the federal health insurance program provided for in
22 Title XVIII of the Social Security Act.

1 (4) "Telehealth" has the meaning ascribed in R.S. 40:1223.3.

2 §1255.2. Telehealth services; alignment of reimbursement with Medicare policy

3 A. The department shall periodically review policies regarding Medicaid
4 reimbursement for telehealth services to identify variations between permissible
5 reimbursement under that program and reimbursement available to healthcare
6 providers under the Medicare program.

7 B. To the extent practicable, notwithstanding any other law to the contrary,
8 after conducting a review provided for in Subsection A of this Section, the
9 department may modify its administrative rules, policies, and procedures applicable
10 to Medicaid reimbursement for telehealth services as necessary to provide for a
11 reimbursement system that is comparable to that of the Medicare program for those
12 services.

13 Section 2. R.S. 46:460.51(17) and 460.54(G) are hereby enacted to read as follows:

14 §460.51. Definitions

15 As used in this Part, the following terms have the meaning ascribed in this
16 Section unless the context clearly indicates otherwise:

17 * * *

18 (17) "Telehealth" has the meaning ascribed in R.S. 40:1223.3.

19 * * *

20 §460.54. Medicaid policies and procedures; procedure for adoption; required
21 content

22 * * *

23 G. The department shall include in its Medicaid policies and procedures all
24 of the following information relating to telehealth:

25 (1) An exhaustive listing of the covered healthcare services which may be
26 furnished through telehealth.

27 (2) Processes by which providers may submit claims for reimbursement for
28 healthcare services furnished through telehealth.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

- 1 (3) The conditions under which a managed care organization may reimburse
 2 a provider or facility that is not physically located in this state for healthcare services
 3 furnished to an enrollee through telehealth.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 589 Engrossed

2020 Regular Session

Echols

Abstract: Provides for Medicaid policies and procedures relative to telehealth and Medicaid reimbursement for telehealth services.

Proposed law provides that, for its purposes, "telehealth" shall have the following meaning ascribed in the La. Telehealth Access Act (R.S. 40:1223.1 et seq. of present law):

"Telehealth" means a mode of delivering healthcare services that utilizes information and communication technologies to enable the diagnosis, consultation, treatment, education, care management, and self-management of patients at a distance from healthcare providers. Telehealth allows services to be accessed when providers are in a distant site and patients are in the originating site. Telehealth facilitates patient self-management and caregiver support for patients and includes synchronous interactions and asynchronous store and forward transfers.

Proposed law requires the La. Department of Health (LDH) to periodically review policies regarding Medicaid reimbursement for telehealth services to identify variations between permissible Medicaid reimbursement and reimbursement available to healthcare providers under the Medicare program.

Proposed law authorizes LDH to modify its administrative rules, policies, and procedures applicable to Medicaid reimbursement for telehealth services as necessary to provide for a reimbursement system that is comparable to that of the Medicare program.

Present law provides relative to policies and procedures instituted by LDH for the operation of the Medicaid managed care program of this state. Proposed law retains present law and adds thereto a requirement that LDH include in its Medicaid policies and procedures all of the following information relating to telehealth:

- (1) An exhaustive listing of the covered healthcare services which may be furnished through telehealth.
- (2) Processes by which providers may submit claims for reimbursement for healthcare services furnished through telehealth.
- (3) The conditions under which a managed care organization may reimburse a provider or facility that is not physically located in La. for healthcare services furnished to a La. Medicaid enrollee through telehealth.

(Adds R.S. 40:1255.1 and 1255.2 and R.S. 46:460.51(17) and 460.54(G))