

GREEN SHEET REDIGEST

HB 530

2020 Regular Session

Echols

INSURANCE/HEALTH: Provides for coverage of healthcare services provided through telehealth or telemedicine

DIGEST

Proposed law defines "health coverage plan", "medication adherence management services", "platform", "remote patient monitoring services", "telehealth", and "telemedicine".

Proposed law requires the issuer of a health coverage plan to display in a conspicuous manner on the issuer's internet website patient information regarding how the patient may receive covered telemedicine and telehealth services. Further provides that a link clearly identified on the health coverage plan's issuer's website to the required information is sufficient to comply with proposed law.

Proposed law requires remote patient monitoring services through telehealth to consist of an assessment, problem identification, and evaluation and the implementation of a management plan. Further requires the entity providing remote patient monitoring services to have certain enumerated protocols in place.

Proposed law provides that a health coverage plan may require an authorization request for remote patient monitoring prior to the health coverage plan's approval of coverage for a specified health care service.

Proposed law does not apply to any plan providing coverage for excepted benefits, limited benefit health insurance plans, and short-term policies with a term of less than 12 months.

Effective Jan. 1, 2021.

(Adds R.S. 22:1841-1844)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Remove the definition of "health care professional".
2. Modify the definitions of "qualifying patient" and "qualified telemedicine equipment and network".
3. Require telehealth and telemedicine platforms to comply with certain federal civil rights and patient information privacy protection rights. Prohibit a health care coverage plan's limitation, denial, or reduction of coverage for telehealth and telemedicine services or procedures when the provider's platform is compliant.
4. Remove provisions for telehealth and telemedicine services, including asynchronous and store-and-forward telemedicine services, requiring health care plan coverage to the same extent services would be covered if they were provided during in-person visits. Provide for coverage to be determined by the provisions of store-and-forward services and remote patient monitoring services prescribed in proposed law.
5. Modify proposed law to require the issuer of a health coverage plan to display in a conspicuous manner on the issuer's website patient information regarding how the patient may receive covered telemedicine and telehealth services.

6. Require a patient's consent to store-and-forward telemedicine services, including notification to the patient that he may be billed for a portion of those services, prior to the patient's receipt of such services.
7. Authorize an out-of-state health care provider to seek reimbursement for store-and-forward telemedicine services if the provider holds a telemedicine license in this state, and has appropriate arrangements with licensed La. providers for urgent or emergent care.
8. Remove the requirement for an entity providing remote patient monitoring services to be Louisiana based.
9. Remove specified reimbursement rates for remote patient monitoring services.
10. Retain present law (R.S. 22:1821(F)) which requires the reimbursement to a health care provider at an originating facility or terminus to be not less than 75% of the reasonable and customary amount of reimbursement the provider would receive for an intermediate office visit.
11. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Remove the definitions of "qualifying patient" and "qualified telemedicine equipment and network". Modify certain definitions.
2. Remove provisions requiring medical necessity, appropriateness, and the use of certain procedures for a health coverage plan's reimbursement to health care providers for telemedicine or telehealth services.
3. Remove certain provisions relative to patient deductibles, copayments, or coinsurance required by health coverage plans.
4. Make modifications to require a health coverage plan to cover a telemedicine or telehealth service provided through an audio-only telephone consultation, when the consultation meets the criteria set forth in present law (R.S. 32:1271(B)(4)(b) or R.S. 40:1223.3(5)).
5. Remove provisions prohibiting a health coverage plan's discrimination against telehealth, telemedicine, or certain methods of transmitted electronic imaging.
6. Specify that a trained and licensed specialty health care provider means a non-primary healthcare provider.
7. Remove the required consent of a patient relative to the use of store-and-forward telemedicine services. Provide that a healthcare provider may notify the patient that he may be billed for a portion of those services.
8. Remove provisions relative to requiring health care providers to have certain licensure in the state of La. to seek reimbursement for store-and-forward telemedicine services.
9. Modify relative to remote patient monitoring to provide that a health coverage plan may require an authorization request prior to the plan's approval of coverage for a specified health care service.
10. Provide an effective date of Jan. 1, 2021.
11. Provide for a policy, contract, or health coverage plan to comply with proposed law by Jan. 1, 2022.

12. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the reengrossed bill

1. Deletes the definition of store-and-forward telemedicine services.
2. Clarifies that telehealth and telemedicine include audio-only conversations as authorized by present law.
3. Deletes proposed law requiring health insurance coverage of services provided through telemedicine or telehealth.
4. Provides that an insurer may post a link on its website to comply with the proposed law requirement to conspicuously display information on covered telemedicine or telehealth services.
5. Deletes proposed law relative to store-and-forward telemedicine or telehealth services.
6. Changes the aim of remote patient monitoring provisions from allowing people to remain at home or in other residential settings to allowing people to remain at home or in other nontraditional clinical settings.
7. Makes technical changes.