

2020 Regular Session

HOUSE BILL NO. 553

BY REPRESENTATIVE CREWS

INSURANCE/HEALTH: Provides relative to remote patient monitoring

1 AN ACT

2 To enact Part X of Subchapter D of Chapter 5-D of Title 40 of the Louisiana Revised  
3 Statutes of 1950, to be comprised of R.S. 40:1227.1 through 1227.8, and Subpart E  
4 of Part I of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950,  
5 comprised of R.S. 40:1248.1, relative to remote patient monitoring; to provide for  
6 remote monitoring services; to establish patient qualifications; to establish  
7 monitoring equipment and network requirements; to require Medicaid coverage for  
8 remote patient monitoring; to define key terms; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part X of Subchapter D of Chapter 5-D of Title 40 of the Louisiana  
11 Revised Statutes of 1950, comprised of R.S. 40:1227.1 through 1227.8, and Subpart E of  
12 Part I of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, comprised of  
13 R.S. 40:1248.1, are hereby enacted to read as follows:

14 PART X. REMOTE PATIENT MONITORING

15 §1227.1. Short title

16 This Part shall be known and may be cited as the "Louisiana Remote Patient  
17 Monitoring Program Law".

18 §1227.2. Legislative findings

19 The legislature hereby finds and declares all of the following:

1           (1) Remote patient monitoring services aim to allow more people to remain  
2           at home or in other residential settings and to improve the quality and cost of their  
3           care, including prevention of more costly care.

4           (2) The goal of remote patient monitoring services provided through  
5           telehealth is to coordinate primary, acute, behavioral, and long-term social service  
6           needs for high need, high cost patients.

7           §1227.3. Definitions

8           As used in this Part, the following definitions apply:

9           (1) "Remote patient monitoring services" means the delivery of home health  
10          services using telecommunications technology to enhance the delivery of home  
11          health care, including but not limited to all of the following:

12          (a) Monitoring of clinical patient data such as weight, blood pressure, pulse,  
13          pulse oximetry, and other condition-specific data, such as blood glucose.

14          (b) Medication adherence monitoring.

15          (c) Interactive video conferencing with or without digital image upload.

16          (2) "Telehealth" shall have the same meaning as defined in R.S. 40:1223.3.

17          §1227.4. Remote patient monitoring

18          Remote patient monitoring services provided through telehealth may be used  
19          by patients who meet the requirements of this Section and who are capable and  
20          willing to use home telehealth and can maintain performance of needed tasks, or  
21          have the availability of informal caregivers to help with remote patient monitoring  
22          through telehealth.

23          §1227.5. Qualifications for patients

24          To qualify for participation in remote patient monitoring services, a patient  
25          shall meet all of the following criteria:

26          (1) Be diagnosed, in the previous eighteen months, with one or more chronic  
27          conditions, as defined by the Centers for Medicare and Medicaid Services, which  
28          include but are not limited to sickle cell, mental health, asthma, diabetes, and heart  
29          disease.

1           (2) Have a recent history of costly service use due to one or more chronic  
2           conditions as evidenced by two or more hospitalizations, including emergency room  
3           visits, in the last twelve months.

4           (3) Have a recommendation from the patient's healthcare provider for disease  
5           management services through remote patient monitoring.

6           §1227.6. Remote monitoring services

7           Remote patient monitoring services through telehealth shall consist of all of  
8           the following:

9           (1) An assessment, problem identification, and evaluation which includes all  
10          of the following:

11          (a) Assessment and monitoring of clinical data including but not limited to  
12          appropriate vital signs, pain levels, and other biometric measures specified in the  
13          plan of care and an assessment of responses to previous changes in the plan of care.

14          (b) Detection of condition changes based on the telehealth encounter that  
15          may indicate the need for a change in the plan of care.

16          (2) Implementation of a management plan through one or more of the  
17          following:

18          (a) Teaching regarding medication management as appropriate based on the  
19          telemedicine findings for that encounter.

20          (b) Teaching regarding other interventions as appropriate to both the patient  
21          and the caregiver.

22          (c) Management and evaluation of the plan of care including changes in visit  
23          frequency or addition of other skilled services.

24          (d) Coordination of care with the ordering healthcare provider regarding  
25          telehealth findings.

26          (e) Coordination and referral to other healthcare providers as needed.

27          (f) Referral for an in-person visit or the emergency room as needed.



1           D. No geographic restrictions shall be placed on the delivery of remote  
2           patient monitoring services in the home setting other than requiring the patient reside  
3           within the state of Louisiana.

4           E. The originating site shall be eligible to receive a facility fee, but a facility  
5           fee shall not be payable to the distant site.

6           F. For the purposes of this Section, "medical assistance program" means the  
7           medical assistance program provided for in Title XIX of the Social Security Act as  
8           administered by the Louisiana Department of Health.

### 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 553 Original

2020 Regular Session

Crews

**Abstract:** Establishes the La. Remote Patient Monitoring Program Law.

Proposed law defines "remote patient monitoring services" as the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including but not limited to all of the following:

- (1) Monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, and other condition-specific data, such as blood glucose.
- (2) Medication adherence monitoring.
- (3) Interactive video conferencing with or without digital image upload.

Proposed law authorizes a patient who meet the requirements of proposed law to use remote patient monitoring services provided through telehealth if the patient is capable and willing to use home telehealth and can maintain performance of needed tasks, or has the availability of informal caregivers to help with remote patient monitoring through telehealth.

Proposed law requires a patient to meet all of the following criteria to qualify for participation in remote patient monitoring services:

- (1) Be diagnosed, in the previous 18 months, with one or more chronic conditions, as defined by the Centers for Medicare and Medicaid Services.
- (2) Have a recent history of costly service use due to one or more chronic conditions as evidenced by two or more hospitalizations, including emergency room visits, in the last 12 months.
- (3) Have a recommendation from the patient's healthcare provider for disease management services through remote patient monitoring.

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.

Proposed law establishes minimum requirements for any telehealth equipment and network used for remote patient monitoring services.

Proposed law provides that remote patient monitoring services shall be a covered service in the La. medical assistance program subject to the following limitations:

- (1) A one-time telehealth installation and training fee for remote patient monitoring services may also be reimbursed at a maximum of two installation and training fees per calendar year.
- (2) Only La-based telehealth programs affiliated with a La. healthcare facility are eligible.
- (3) No geographic restrictions shall be placed on the delivery of remote patient monitoring services in the home setting other than requiring the patient reside within the state of La.
- (4) The originating site shall be eligible to receive a facility fee, but a facility fee shall not be payable to the distant site.

(Adds R.S. 40:1227.1-1227.8 and 1248.1)