

ACT No. 276

2020 Regular Session

HOUSE BILL NO. 530

BY REPRESENTATIVE ECHOLS

1 AN ACT

2 To enact Subpart B-1 of Part II of Chapter 6 of Title 22 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 22:1841 through 1844, relative to payment of
4 claims for services provided through telehealth or telemedicine; to define key terms;
5 to provide for reimbursement for healthcare services provided through remote patient
6 monitoring; to provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart B-1 of Part II of Chapter 6 of Title 22 of the Louisiana Revised
9 Statutes of 1950, comprised of R.S. 22:1841 through 1844, is hereby enacted to read as
10 follows:

11 SUBPART B-1. MEDICAL CLAIMS FOR SERVICES PROVIDED THROUGH

12 TELEHEALTH AND TELEMEDICINE

13 §1841. Definitions

14 For purposes of this Subpart, the following definitions apply:

15 (1) "Health coverage plan" means any hospital, health, or medical expense
16 insurance policy, hospital or medical service contract, employee welfare benefit plan,
17 contract, or other agreement with a health maintenance organization or a preferred
18 provider organization, health and accident insurance policy, or any other insurance
19 contract of this type in this state, including a group insurance plan, a self-insurance
20 plan, and the Office of Group Benefits programs. "Health coverage plan" shall not
21 include a plan providing coverage for excepted benefits as defined in R.S. 22:1061,

1 limited benefit health insurance plans, and short-term policies that have a term of
 2 less than twelve months.

3 (2) "Medication adherence management services" means the monitoring of
 4 a patient's conformance with the healthcare provider's medication plan with respect
 5 to timing, dosing, and frequency of medication-taking through electronic
 6 transmission of data in a remote patient monitoring services program.

7 (3) "Platform" means the technology, system, software, application,
 8 modality, or other method through which a healthcare provider remotely interfaces
 9 with a patient when providing a healthcare service or procedure as a telemedicine
 10 medical service or telehealth healthcare service.

11 (4) "Remote patient monitoring services" means the delivery of healthcare
 12 services using telecommunications technology to enhance the delivery of health care,
 13 including but not limited to all of the following:

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

16 (b) Medication adherence monitoring.

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

18 (5) "Telehealth" shall have the same meaning as defined in R.S. 40:1223.3
 19 and may include audio-only conversations as provided for in R.S. 40:1223.3(5).

20 (6) "Telemedicine" shall have the same meaning as defined in R.S. 37:1262,
 21 may be provided as described in R.S. 37:1271(B)(4), and may include audio-only
 22 conversations as provided for in R.S. 37:1271(B)(4)(b).

23 §1842. Telemedicine medical services and telehealth healthcare services statement

24 A.(1) Each issuer of a health coverage plan shall display in a conspicuous
 25 manner on the health coverage plan issuer's website information regarding how to
 26 receive covered telemedicine medical services , telehealth healthcare services, and
 27 remote patient monitoring services.

28 (2) A link clearly identified on the health coverage plan's issuer's website to
 29 the information required pursuant to this Subsection shall be sufficient to meet the
 30 requirements of this Section.

1 B. This Section shall not require an issuer of a health coverage plan to
 2 display negotiated contract payment rates for healthcare providers who contract with
 3 the issuer to provide telemedicine medical services or telehealth healthcare services.

4 §1843. Remote patient monitoring services

5 A. The legislature hereby finds all of the following:

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

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

12 B. To receive reimbursement for the delivery of remote patient monitoring
 13 services through telehealth, all of the following conditions shall be met:

14 (1) The services shall consist of all of the following:

15 (a) An assessment, problem identification, and evaluation which includes all
 16 of the following:

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

20 (ii) Detection of condition changes based on the telemedicine or telehealth
 21 encounter that may indicate the need for a change in the plan of care.

22 (b) Implementation of a management plan through one or more of the
 23 following:

24 (i) Teaching regarding medication management as appropriate based on the
 25 telemedicine or telehealth findings for that encounter.

26 (ii) Teaching regarding other interventions as appropriate to both the patient
 27 and the caregiver.

28 (iii) Management and evaluation of the plan of care including changes in
 29 visit frequency or addition of other skilled services.

1 (iv) Coordination of care with the ordering healthcare provider regarding the
2 telemedicine or telehealth findings.

3 (v) Coordination and referral to other healthcare providers as needed.

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

5 (2) The entity that will provide the remote monitoring services shall have
6 protocols in place to address all of the following:

7 (a) Authentication and authorization of users.

8 (b) A mechanism for monitoring, tracking, and responding to changes in the
9 patient's clinical condition.

10 (c) A standard of acceptable and unacceptable parameters for the patient's
11 clinical parameters, which can be adjusted based on the patient's condition.

12 (d) How monitoring staff will respond to abnormal parameters for the
13 patient's vital signs, symptoms, or lab results.

14 (e) The monitoring, tracking, and responding to changes in the patient's
15 clinical condition.

16 (f) The process for notifying the prescribing healthcare provider for
17 significant changes in the patient's clinical signs and symptoms.

18 (g) The prevention of unauthorized access to the system or information.

19 (h) System security, including the integrity of information that is collected,
20 program integrity, and system integrity.

21 (i) Information storage, maintenance, and transmission.

22 (j) Synchronization and verification of patient profile data.

23 (k) Notification of the patient's discharge from the remote patient monitoring
24 services or the deinstallation of the remote patient monitoring unit.

25 C. A health coverage plan may require an authorization request for remote
26 patient monitoring prior to the health coverage plan's approval of coverage for a
27 specified healthcare service.

1 §1844. Exclusions

2 The provisions of this Subpart shall not apply to any plan providing coverage
3 for excepted benefits as defined in R.S. 22:1061, limited benefit health insurance
4 plans, and short-term policies that have a term of less than twelve months.

5 Section 2.(A) This Act shall become effective on January 1, 2021.

6 (B) This Act shall apply to any new policy, contract, program, or health coverage
7 plan issued on and after January 1, 2021. Any policy, contract, or health coverage plan in
8 effect prior to January 1, 2021, shall convert to conform to the provisions of this Act on or
9 before the renewal date, but no later than January 1, 2022.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____