
DIGEST

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HB 530 Reengrossed

2020 Regular Session

Echols

Abstract: Requires health insurance coverage for telehealth or telemedicine services.

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

Proposed law requires any health coverage plan delivered or issued for delivery in this state to provide coverage for a covered healthcare service or procedure delivered by a contracted healthcare provider to a covered patient as a telemedicine medical service or a telehealth healthcare service, including store-and-forward telemedicine services and remote patient monitoring services, as described in proposed law.

Proposed law requires a health coverage plan to provide coverage for a telemedicine medical service or telehealth healthcare service provided through an audio-only telephone consultation, when such consultation meets the criteria set forth in present law (R.S. 32:1271(B)(4)(b) or R.S. 40:1223.3(5)).

Proposed law requires a provider's telehealth and telemedicine platform to comply with certain federal civil rights and patient information privacy protection rights. Prohibits a healthcare coverage plan's limitation, denial, or reduction of coverage for telehealth and telemedicine services or procedures when the provider's platform complies with such federal civil rights and patient information privacy protection rights.

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.

Proposed law provides that prior to the patient's receipt of store-and-forward telemedicine services, a provider may notify the patient that he may be billed for a portion of those services in accordance with coverage under his health coverage plan.

Proposed law provides that any patient receiving medical care by store-and-forward telemedicine services may request interactive communication with the distant specialist healthcare professional and prohibits any telemedicine network unable to offer the interactive consultation from being reimbursed for store-and-forward telemedicine services.

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 healthcare 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. 22:1841-1846)

Summary of Amendments Adopted by House

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

1. Remove the definition of "healthcare 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 healthcare 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 healthcare plan coverage to the same extent services would be covered if the 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 healthcare 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 healthcare 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 healthcare 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 healthcare 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 healthcare 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 healthcare 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.