

H.B. 122 – Establish and Modify Requirements Regarding the Provisions of Telehealth Services

Summary – Amendments regarding the provision of telehealth services

Introduced: 2/16/2021

Sponsors: Rep. Mark Frazier/Rep. Adam Holmes

Cosponsors: 47 cosponsors

Eff. date: Plans that are in effect on the effective date of the amendment and to plans that are issued, renewed, modified or amended on or after the effective date of the amendment.

Details

- Allow an individual with developmental or permanent disability to have at least one parent/legal guardian present during treatments or hospitalizations during any pandemic or public health/safety emergency.
- During any pandemic or public health/safety emergency, each long-term care facility shall provide residents and their families with a video-conference visitation option if in-person visits determined to be a risk to health of the residents.
- Health benefit plan cannot require cost-sharing for telehealth that exceeds the cost-sharing requirement for comparable in-person health care services.
- Health benefit plan cannot require any cost-sharing when ALL of the following applies
 - Communication initiated by the provider;
 - Patient consented to receive a telehealth service from that provider on any prior occasion;
 - The communication is conducted for the purpose of preventive health care services only.
- Allows the following providers to provide telehealth services: physician, physician assistant, advanced practice registered nurse, optometrist, pharmacist, psychologist, school psychologist, chiropractor, audiologist, speech language pathologist, occupational/physical therapist, clinical counselor, independent social worker, independent marriage and family therapist, chemical dependency counselor, dietitian, respiratory care professional, genetic counselor.
- Provider has the ability to decline a patient's request for telehealth services and require an in-person visit.
- Provider cannot bill for a facility fee, origination fee or any fee associated with the cost of the equipment used. They can negotiate with the health plan issuer to establish a reimbursement rate for fees as long as the patient is not responsible for any portion of the fee.
- Provider must describe potential risks of telehealth services to the patient prior to the visit (clinical aspects, security and confidentiality)