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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO INSURANCE -- USE OF TELEMEDICINE HEALTHCARE
MODERNIZATION ACT

Introduced By: Representatives Kennedy, Shekarchi, Marshall, Azzinaro, and Keable

Date Introduced: January 21, 2015

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 27 of the General Laws entitled "INSURANCE" is hereby amended
2 by adding thereto the following chapter:

3 CHAPTER 18.8

4 TELEMEDICINE HEALTHCARE MODERNIZATION ACT

5 **27-18.8-1. Definition.** -- "Telemedicine" means the use of synchronous video
6 conferencing, remote patient monitoring, and asynchronous health images, or other health
7 transmissions supported by mobile devices (mHealth) or other telecommunications technology by
8 a healthcare provider to deliver healthcare services at a site other than the site where the provider
9 is located relating to the healthcare diagnosis or treatment of a patient.

10 **27-18.8-2. Private coverage.** -- Health insurers, healthcare subscription plans, and health
11 maintenance organizations shall provide coverage for the cost of telemedicine services when the
12 services are appropriately provided through such means. A health plan offered to employees and
13 their covered dependents under chapters 18, 19, 20 and 41 of this title may not deny coverage on
14 the basis that the coverage is provided through telemedicine if the healthcare service would be
15 covered were it provided through in-person consultation between the covered person and a
16 healthcare provider.

17 **27-18.8-3. Utilization review.** -- Decisions denying coverage of services provided via
18 telemedicine shall be subject to utilization review procedures.

1 **27-18.8-4. Exceptions.** -- The requirements of this chapter shall apply to all insurance
2 policies, contracts, and plans delivered, issued for delivery, reissued, or at any time thereafter
3 when any term of the policy, contract, or plan is changed or any premium adjustment is made.
4 This chapter does not apply to short-term travel, accident-only, limited or specified disease, or
5 individual conversion policies or contracts, or to policies or contracts designed for issuance to
6 persons eligible for coverage under Medicare, or any other similar coverage under state or federal
7 governmental plans.

8 **27-18.8-5. Medicaid.** -- The state's Medicaid plan shall not deny coverage on the basis
9 that coverage is provided through telemedicine if the healthcare service would be covered were it
10 provided through in-person consultation between the recipient and a healthcare provider.
11 Coverage for healthcare services provided through telemedicine must be determined in a manner
12 consistent with coverage for healthcare services provided through in-person consultation.
13 Specifically included is statewide coverage, services originating from a recipients home or
14 wherever else they may be, all health professionals are authorized to provide services by a
15 telehealth method to the extent otherwise covered in the state's plan, and timely asynchronous
16 telehealth services.

17 **27-18.8-6. Health home.** -- The department of health shall require by December 31, 2015
18 a statewide medical assistance benefit of a health home for individuals with chronic conditions
19 (defined under 42 U.S.C. 1396a).

20 **27-18.8-7. Reporting.** -- The department of health shall lead an interagency study and
21 report to the general assembly within twelve (12) months on comprehensive plans that include
22 telehealth services and multi-payer coverage, and reimbursement for stroke diagnosis, high-risk
23 pregnancies and premature births, and emergency services.

24 **27-18.8-8. Professional licensing.** -- The state's health professional licensing boards shall
25 modify, as necessary, requirements for telemedicine provided practices to be the same as for in-
26 person practices, and to allow a professional to consult with an out-of-state peer professional,
27 such as a sub-specialist, without the need for an additional state license.

28 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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MODERNIZATION ACT

1 This act would authorize the provision of healthcare services by "telemedicine", as
2 therein defined, on the same basis as face-to-face consultation, where appropriate, and require
3 healthcare insurers to adjust their coverage protocols accordingly.

4 This act would take effect upon passage.

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