

As Introduced

129th General Assembly
Regular Session
2011-2012

H. B. No. 609

Representatives Wachtmann, Gonzales

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A BILL

To enact sections 1739.051, 1751.69, 3923.235, and 1
5111.0216 of the Revised Code to require the 2
Medicaid program and to authorize health care 3
insurers to provide coverage of telehealth 4
services. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1739.051, 1751.69, 3923.235, and 6
5111.0216 of the Revised Code be enacted to read as follows: 7

Sec. 1739.051. (A) As used in this section: 8

(1) "Asynchronous store and forward action" means the 9
transmission of a patient's medical information from an 10
originating site to a health care provider at a distant site for 11
review of the information by the provider at the distant site 12
without a synchronous interaction. 13

(2) "Distant site" means the location of a health care 14
provider when providing telehealth services to a patient. 15

(3) "Health care provider" means a person or government 16
entity licensed, certified, registered, or otherwise authorized to 17
provide health care services to patients as a health care 18
professional or a health care facility. 19

(4) "Originating site" means both of the following: 20

(a) The location of a patient when receiving telehealth services from a health care provider; 21
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(b) The location where an asynchronous store and forward action originates. 23
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(5) "Synchronous interaction" means a real-time interaction between a patient receiving telehealth services at an originating site and a health care provider delivering telehealth services from a distant site. 25
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(6) "Telehealth" means the use of interactive audio, video, and other telecommunications technology by a health care provider to deliver health care services between a distant site and an originating site for diagnosis and treatment of a patient. 29
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(7) "Telehealth service" means a health care service provided through telehealth, including a service provided through a synchronous interaction or asynchronous store and forward action. 33
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(B) A multiple employer welfare arrangement operating a group self-insurance program may include coverage of telehealth services. 36
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(C) If coverage of telehealth services is included in a group self-insurance program operated by a multiple employer welfare arrangement, all of the following apply: 39
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(1) The coverage is applicable only to telehealth services that are medically appropriate and medically necessary. 42
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(2) Except as provided in divisions (D)(3) and (4) of this section, the coverage of a telehealth service is to be the same in amount, duration, and scope as the coverage that applies to a service delivered in person to a patient. 44
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(3) When the provision of a telehealth service includes actions performed by both a health care provider and a health care facility, the coverage of the service is limited to a single 48
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reimbursement amount for that provider and facility. 51

(4) The coverage is not applicable to a telehealth service 52
unless, when the service is provided, the health care provider is 53
licensed, certified, registered, or otherwise authorized in this 54
state to provide the service. 55

(D) If a health care provider intends to seek reimbursement 56
for providing a telehealth service, the provider shall retain 57
relevant documentation of providing the service and any subsequent 58
telehealth service as part of the patient records maintained by 59
the provider. 60

(E) This section does not alter any coverage that may be 61
available for telemedicine services provided to a patient in this 62
state by a physician who is located outside this state and is 63
practicing under a telemedicine certificate issued by the state 64
medical board under section 4731.296 of the Revised Code. 65

Sec. 1751.69. (A) As used in this section: 66

(1) "Asynchronous store and forward action" means the 67
transmission of a patient's medical information from an 68
originating site to a health care provider at a distant site for 69
review of the information by the provider at the distant site 70
without a synchronous interaction. 71

(2) "Distant site" means the location of a health care 72
provider when providing telehealth services to a patient. 73

(3) "Health care provider" means a person or government 74
entity licensed, certified, registered, or otherwise authorized to 75
provide health care services to patients as a health care 76
professional or a health care facility. 77

(4) "Originating site" means both of the following: 78

(a) The location of a patient when receiving telehealth 79
services from a health care provider; 80

(b) The location where an asynchronous store and forward action originates. 81
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(5) "Synchronous interaction" means a real-time interaction between a patient receiving telehealth services at an originating site and a health care provider delivering telehealth services from a distant site. 83
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(6) "Telehealth" means the use of interactive audio, video, and other telecommunications technology by a health care provider to deliver health care services between a distant site and an originating site for diagnosis and treatment of a patient. 87
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(7) "Telehealth service" means a health care service provided through telehealth, including a service provided through a synchronous interaction or asynchronous store and forward action. 91
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(B) An individual or group health insuring corporation policy, contract, or agreement delivered, issued for delivery, or renewed in this state policy may include coverage of telehealth services. 94
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(C) If coverage of telehealth services is included in an individual or group health insuring corporation policy, contract, or agreement, all of the following apply: 98
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(1) The coverage is applicable only to telehealth services that are medically appropriate and medically necessary. 101
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(2) Except as provided in divisions (D)(3) and (4) of this section, the coverage of a telehealth service is to be the same in amount, duration, and scope as the coverage that applies to a service delivered in person to a patient. 103
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(3) When the provision of a telehealth service includes actions performed by both a health care provider and a health care facility, the coverage of the service is limited to a single reimbursement amount for that provider and facility. 107
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(4) The coverage is not applicable to a telehealth service unless, when the service is provided, the health care provider is licensed, certified, registered, or otherwise authorized in this state to provide the service. 111
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(D) If a health care provider intends to seek reimbursement for providing a telehealth service, the provider shall retain relevant documentation of providing the service and any subsequent telehealth service as part of the patient records maintained by the provider. 115
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(E) This section does not alter any coverage that may be available for telemedicine services provided to a patient in this state by a physician who is located outside this state and is practicing under a telemedicine certificate issued by the state medical board under section 4731.296 of the Revised Code. 120
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Sec. 3923.235. (A) As used in this section: 125

(1) "Asynchronous store and forward action" means the transmission of a patient's medical information from an originating site to a health care provider at a distant site for review of the information by the provider at the distant site without a synchronous interaction. 126
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(2) "Distant site" means the location of a health care provider when providing telehealth services to a patient. 131
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(3) "Health care provider" means a person or government entity licensed, certified, registered, or otherwise authorized to provide health care services to patients as a health care professional or a health care facility. 133
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(4) "Originating site" means both of the following: 137

(a) The location of a patient when receiving telehealth services from a health care provider; 138
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(b) The location where an asynchronous store and forward 140

action originates. 141

(5) "Synchronous interaction" means a real-time interaction 142
between a patient receiving telehealth services at an originating 143
site and a health care provider delivering telehealth services 144
from a distant site. 145

(6) "Telehealth" means the use of interactive audio, video, 146
and other telecommunications technology by a health care provider 147
to deliver health care services between a distant site and an 148
originating site for diagnosis and treatment of a patient. 149

(7) "Telehealth service" means a health care service provided 150
through telehealth, including a service provided through a 151
synchronous interaction or asynchronous store and forward action. 152

(B) An individual or group policy of sickness and accident 153
insurance delivered, issued for delivery, or renewed in this state 154
may include coverage of telehealth services. A public employee 155
benefit plan established or modified in this state may include 156
coverage of telehealth services. 157

(C) If coverage of telehealth services is included in an 158
individual or group policy of sickness and accident insurance or a 159
public employee benefit plan, all of the following apply: 160

(1) The coverage is applicable only to telehealth services 161
that are medically appropriate and medically necessary. 162

(2) Except as provided in divisions (D)(3) and (4) of this 163
section, the coverage of a telehealth service is to be the same in 164
amount, duration, and scope as the coverage that applies to a 165
service delivered in person to a patient. 166

(3) When the provision of a telehealth service includes 167
actions performed by both a health care provider and a health care 168
facility, the coverage of the service is limited to a single 169
reimbursement amount for that provider and facility. 170

(4) The coverage is not applicable to a telehealth service unless, when the service is provided, the health care provider is licensed, certified, registered, or otherwise authorized in this state to provide the service. 171
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(D) If a health care provider intends to seek reimbursement for providing a telehealth service, the provider shall retain relevant documentation of providing the service and any subsequent telehealth service as part of the patient records maintained by the provider. 175
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(E) This section does not alter any coverage that may be available for telemedicine services provided to a patient in this state by a physician who is located outside this state and is practicing under a telemedicine certificate issued by the state medical board under section 4731.296 of the Revised Code. 180
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Sec. 5111.0216. (A) As used in this section: 185

(1) "Asynchronous store and forward action" means the transmission of a patient's medical information from an originating site to a health care provider at a distant site for review of the information by the provider at the distant site without a synchronous interaction. 186
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(2) "Distant site" means the location of a health care provider when providing telehealth services to a patient. 191
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(3) "Health care provider" means a person or government entity licensed, certified, registered, or otherwise authorized to provide health care services to patients as a health care professional or a health care facility. 193
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(4) "Originating site" means both of the following: 197

(a) The location of a patient when receiving telehealth services from a health care provider; 198
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(b) The location where an asynchronous store and forward 200

action originates. 201

(5) "Synchronous interaction" means a real-time interaction 202
between a patient receiving telehealth services at an originating 203
site and a health care provider delivering telehealth services 204
from a distant site. 205

(6) "Telehealth" means the use of interactive audio, video, 206
and other telecommunications technology by a health care provider 207
to deliver health care services between a distant site and an 208
originating site for diagnosis and treatment of a patient. 209

(7) "Telehealth service" means a health care service provided 210
through telehealth, including a service provided through a 211
synchronous interaction or asynchronous store and forward action. 212

(B) The medicaid program shall provide coverage of telehealth 213
services. The coverage shall be extended to all components of the 214
medicaid program, including services provided through the care 215
management system established under section 5111.16 of the Revised 216
Code. 217

(C) With respect to the medicaid program's coverage of 218
telehealth services, all of the following apply: 219

(1) The coverage is applicable only to telehealth services 220
that are medically appropriate and medically necessary. 221

(2) Except as provided in divisions (D)(3) and (4) of this 222
section, the coverage of a telehealth service is to be the same in 223
amount, duration, and scope as the coverage that applies to a 224
service delivered in person to a patient. 225

(3) When the provision of a telehealth service includes 226
actions performed by both a health care provider and a health care 227
facility, the coverage of the service is limited to a single 228
reimbursement amount for that provider and facility. 229

(4) The coverage is not applicable to a telehealth service 230

unless, when the service is provided, the health care provider is 231
licensed, certified, registered, or otherwise authorized in this 232
state to provide the service. 233

(5) The coverage is applicable only if the health care 234
provider holds a valid medicaid provider agreement. 235

(D) If a health care provider intends to seek reimbursement 236
for providing a telehealth service, the provider shall retain 237
relevant documentation of providing the service and any subsequent 238
telehealth service as part of the patient records maintained by 239
the provider. 240

(E) This section does not alter any coverage that may be 241
available for telemedicine services provided to a patient in this 242
state by a physician who is located outside this state and is 243
practicing under a telemedicine certificate issued by the state 244
medical board under section 4731.296 of the Revised Code. 245