

SENATE No. 596

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to full application of telemedicine coverage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>1/31/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/1/2019</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/1/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/1/2019</i>

SENATE No. 596

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 596) of Anne M. Gobi, Donald R. Berthiaume, Jr., Brian M. Ashe, Susannah M. Whipps and others for legislation relative to the use of interactive audio, video or other electronic media for the purpose of medical diagnosis, consultation or treatment. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 532 OF 2017-2018.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-First General Court
(2019-2020)**
—————

An Act relative to full application of telemedicine coverage.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after
2 section 17N, the following section:—

3 Section 17O. (a) For the purposes of this section, “telemedicine“ as it pertains to the
4 delivery of health care services, shall mean the use of interactive audio, video or other electronic
5 media for the purpose of diagnosis, consultation or treatment. “Telemedicine” shall not include
6 the use of audio-only telephone, facsimile machine or e-mail.

7 (b) An insurer may limit coverage of telemedicine services to those health care providers
8 in a telemedicine network approved by the insurer.

9 (c) A contract that provides coverage for services under this section may contain a
10 provision for a deductible, copayment or coinsurance requirement for a health care service
11 provided through telemedicine as long as the deductible, copayment or coinsurance does not
12 exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

13 (d) Coverage for health care services under this section shall be consistent with coverage
14 for health care services provided through in-person consultation.

15 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after
16 section 10H the following section:—

17 Section 10I. (a) For the purposes of this section, “telemedicine“ as it pertains to the
18 delivery of health care services, shall mean the use of interactive audio, video or other electronic
19 media for the purpose of diagnosis, consultation or treatment. “Telemedicine” shall not include
20 the use of audio-only telephone, facsimile machine or e-mail.

21 (b) MassHealth may limit coverage of telemedicine services to those health care
22 providers in a telemedicine network approved by the MassHealth.

23 (c) A contract that provides coverage for services under this section may contain a
24 provision for a deductible, copayment or coinsurance requirement for a health care service
25 provided through telemedicine as long as the deductible, copayment or coinsurance does not
26 exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

27 (d) Coverage for health care services under this section shall be consistent with coverage
28 for health care services provided through in-person consultation.

29 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after
30 section 8II the following section:—

31 Section 8JJ. (a) For the purposes of this section, “telemedicine“ as it pertains to the
32 delivery of health care services, shall mean the use of interactive audio, video or other electronic
33 media for the purpose of diagnosis, consultation or treatment. “Telemedicine” shall not include
34 the use of audio-only telephone, facsimile machine or e-mail.

35 (b) An insurer may limit coverage of telemedicine services to those health care providers
36 in a telemedicine network approved by the insurer.

37 (c) A contract that provides coverage for services under this section may contain a
38 provision for a deductible, copayment or coinsurance requirement for a health care service
39 provided through telemedicine as long as the deductible, copayment or coinsurance does not
40 exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

41 (d) Coverage for health care services under this section shall be consistent with coverage
42 for health care services provided through in-person consultation.

43 SECTION 4. Chapter 176B of the General Laws, is hereby amended by inserting after
44 section 4II the following section:—

45 Section 4JJ. (a) For the purposes of this section, “telemedicine“ as it pertains to the
46 delivery of health care services, shall mean the use of interactive audio, video or other electronic
47 media for the purpose of diagnosis, consultation or treatment. “Telemedicine” shall not include
48 the use of audio-only telephone, facsimile machine or e-mail.

49 (b) An insurer may limit coverage of telemedicine services to those health care providers
50 in a telemedicine network approved by the insurer.

51 (c) A contract that provides coverage for services under this section may contain a
52 provision for a deductible, copayment or coinsurance requirement for a health care service
53 provided through telemedicine as long as the deductible, copayment or coinsurance does not
54 exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

55 (d) Coverage for health care services under this section shall be consistent with coverage
56 for health care services provided through in-person consultation.

57 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after
58 section 4AA the following:—

59 Section 4BB. (a) For the purposes of this section, “telemedicine“ as it pertains to the
60 delivery of health care services, shall mean the use of interactive audio, video or other electronic
61 media for the purpose of diagnosis, consultation or treatment. “Telemedicine” shall not include
62 the use of audio-only telephone, facsimile machine or e-mail.

63 (b) An insurer may limit coverage of telemedicine services to those health care providers
64 in a telemedicine network approved by the insurer.

65 (c) A contract that provides coverage for services under this section may contain a
66 provision for a deductible, copayment or coinsurance requirement for a health care service
67 provided through telemedicine as long as the deductible, copayment or coinsurance does not
68 exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

69 (d) Coverage for health care services under this section shall be consistent with coverage
70 for health care services provided through in-person consultation.

71 SECTION 6. Chapter 176I of the General Laws is hereby amended by inserting after
72 section 12 the following new section:—

73 Section 13. (a) For the purposes of this section, “telemedicine“ as it pertains to the
74 delivery of health care services, shall mean the use of interactive audio, video or other electronic
75 media for the purpose of diagnosis, consultation or treatment. “Telemedicine” shall not include
76 the use of audio-only telephone, facsimile machine or e-mail.

77 (b) An insurer may limit coverage of telemedicine services to those health care providers
78 in a telemedicine network approved by the insurer.

79 (c) A contract that provides coverage for services under this section may contain a
80 provision for a deductible, copayment or coinsurance requirement for a health care service
81 provided through telemedicine as long as the deductible, copayment or coinsurance does not
82 exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

83 (d) Coverage for health care services under this section shall be consistent with coverage
84 for health care services provided through in-person consultation.