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Legislative Document

No. 323

H.P. 227

House of Representatives, February 8, 2021

An Act Regarding Insurance Coverage for Telehealth Services

Received by the Clerk of the House on February 4, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PERRY of Calais.
Cosponsored by Representatives: HYMANSON of York, TEPLER of Topsham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3173-H, sub-§6** is enacted to read:

3 **6. Consent for telehealth and telemonitoring services.** A patient may provide
4 verbal, electronic or written consent for telehealth and telemonitoring services under this
5 section.

6 **Sec. 2. 24-A MRSA §4316, sub-§1, ¶C,** as enacted by PL 2019, c. 289, §2, is
7 amended to read:

8 C. "Telehealth," as it pertains to the delivery of health care services, means the use of
9 interactive real-time visual and audio or other electronic media for the purpose of
10 consultation and education concerning and diagnosis, treatment, care management and
11 self-management of an enrollee's physical and mental health and includes real-time
12 interaction between the enrollee and the telehealth provider, synchronous encounters,
13 asynchronous encounters, store and forward transfers and telemonitoring. "Telehealth"
14 ~~does not include the use of audio-only telephone, facsimile machine, e-mail or texting~~
15 includes telephonic services.

16 **Sec. 3. 24-A MRSA §4316, sub-§5,** as enacted by PL 2019, c. 289, §2, is repealed.

17 **SUMMARY**

18 This bill amends the law that requires health insurance carriers to cover telehealth
19 services to provide that health care services provided through telephone communication
20 are considered telehealth services, thus requiring a carrier to cover health care services
21 provided through telephone communication regardless of whether or not other telehealth
22 services are available. It also allows patients receiving MaineCare health services to
23 provide verbal, electronic or written consent to telehealth and telemonitoring services.