

SENATE BILL 1674

By Massey

AN ACT to amend Tennessee Code Annotated, Title 71,
Chapter 5, relative to TennCare.

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) As used in this section, "CPT code" means the unique numerical designations established by the American Medical Association for various medical, surgical, and diagnostic services used in billing healthcare services.

(b) No later than December 31, 2024, the bureau of TennCare shall amend existing rules, or promulgate new rules, on fee-for-service and medicaid managed care plans regarding reimbursement to allow for the reimbursement of remote ultrasound procedures and remote fetal nonstress tests utilizing established CPT codes for such procedures when the patient is in a residence or other off-site location that is separate from the patient's provider and the same standard of care is met.

(c) When amending or promulgating rules pursuant to subsection (b), the bureau shall ensure that:

(1) A remote ultrasound procedure or remote fetal nonstress test is only reimbursable when the provider uses digital technology:

(A) To collect medical and other forms of health data from a patient and electronically transmit that information securely to a healthcare provider who is in a separate location for the purpose of interpretation and making recommendations;

(B) That is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (42 U.S.C. § 1320d et seq.); and

(C) That is approved by the federal food and drug administration;

and

(2) A fetal nonstress test is only reimbursable with a place of service modifier for at-home monitoring with remote monitoring solutions that are cleared by the federal food and drug administration for on-label use for monitoring fetal heart rate, maternal heart rate, and uterine activity.

SECTION 2. The bureau of TennCare is authorized to promulgate rules to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.