

# D R A F T

## SUMMARY

Modifies requirements for health benefit plan coverage of telemedical health services.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to payment for health services; creating new provisions; amending ORS 743A.058; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 743A.058 is amended to read:

743A.058. (1) As used in this section:

(a) "Health benefit plan" **includes:**

(A) **A health benefit plan as defined** [*has the meaning given that term*] in ORS 743.730[.]; **and**

(B) **A self-insured health plan offered through the Public Employees' Benefit Board or the Oregon Educators Benefit Board.**

(b) **"Health professional" means a person licensed, certified or registered in this state to provide health care services or supplies.**

[(b)] (c) "Originating site" means the physical location of the patient [*receiving a telemedical health service*].

[(c)] *"Telemedical" means delivered through a two-way video communication that allows a health professional to interact with a patient who is at an originating site.*

(2) A health benefit plan must provide coverage of a [*telemedical*] health service **that is provided using synchronous two-way interactive video**

1 **conferencing** if:

2 (a) The plan provides coverage of the health service when provided in  
3 person by *[the]* a health professional;

4 (b) The health service is medically necessary; *[and]*

5 (c) The health service *[does not duplicate or supplant a health service that*  
6 *is available to the patient in person.]* **is determined to be safely and ef-**  
7 **fectively provided using synchronous two-way interactive video con-**  
8 **ferencing according to generally accepted health care practices and**  
9 **standards; and**

10 (d) **The application and technology used to provide the health ser-**  
11 **vice meet all standards required by state and federal laws governing**  
12 **the privacy and security of protected health information.**

13 *[(3) An originating site for a telemedical health service subject to subsection*  
14 *(2) of this section includes but is not limited to a:]*

15 *[(a) Hospital;]*

16 *[(b) Rural health clinic;]*

17 *[(c) Federally qualified health center;]*

18 *[(d) Physician's office;]*

19 *[(e) Community mental health center;]*

20 *[(f) Skilled nursing facility;]*

21 *[(g) Renal dialysis center; or]*

22 *[(h) Site where public health services are provided.]*

23 *[(4)]* (3) A **health benefit** plan may not distinguish between **rural and**  
24 **urban** originating sites *[that are rural and urban]* in providing coverage  
25 under subsection (2) of this section.

26 *[(5) A health benefit plan may subject coverage of a telemedical health*  
27 *service under subsection (2) of this section to all terms and conditions of the*  
28 *plan, including but not limited to deductible, copayment or coinsurance re-*  
29 *quirements that are applicable to coverage of a comparable health service pro-*  
30 *vided in person.]*

31 (4) **The coverage under subsection (2) of this section is subject to:**

1 (a) The terms and conditions of the health benefit plan; and

2 (b) The reimbursement specified in the contract between the plan  
3 and the health professional.

4 [(6)] (5) This section does not require a health benefit plan to reimburse  
5 a health professional:

6 (a) [A provider] For a health service that is not a covered benefit under  
7 the plan [or to reimburse a health professional who is not a covered provider  
8 under the plan]; or

9 (b) Who has not contracted with the plan.

10 **SECTION 2.** The amendments to ORS 743A.058 by section 1 of this  
11 2015 Act apply to a health benefit plan issued or renewed on or after  
12 the effective date of this 2015 Act.

13 **SECTION 3.** This 2015 Act being necessary for the immediate pres-  
14 ervation of the public peace, health and safety, an emergency is de-  
15 clared to exist, and this 2015 Act takes effect on its passage.

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