

Senate Bill 144

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies requirements for health benefit plan coverage of telemedical health services.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to payment for health services; creating new provisions; amending ORS 743A.058; and de-
3 claring an emergency.

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

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

6 743A.058. (1) As used in this section:

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

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

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

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

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

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

17 (2) A health benefit plan must provide coverage of a [*telemedical*] health service **that is pro-**
18 **vided using synchronous two-way interactive video conferencing** if:

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

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

22 (c) The health service [*does not duplicate or supplant a health service that is available to the pa-*
23 *tient in person.*] **is determined to be safely and effectively provided using synchronous two-way**
24 **interactive video conferencing according to generally accepted health care practices and**
25 **standards; and**

26 **(d) The application and technology used to provide the health service meet all standards**
27 **required by state and federal laws governing the privacy and security of protected health**
28 **information.**

29 [(3) *An originating site for a telemedical health service subject to subsection (2) of this section in-*
30 *cludes but is not limited to a:*]

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 [(a) *Hospital*;]

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

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

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

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

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

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

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

9 [(4)] (3) A **health benefit** plan may not distinguish between **rural and urban** originating sites
10 [*that are rural and urban*] in providing coverage under subsection (2) of this section.

11 [(5)] *A health benefit plan may subject coverage of a telemedical health service under subsection (2)*
12 *of this section to all terms and conditions of the plan, including but not limited to deductible, copayment*
13 *or coinsurance requirements that are applicable to coverage of a comparable health service provided in*
14 *person.*]

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

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

17 (b) **The reimbursement specified in the contract between the plan and the health pro-**
18 **fessional.**

19 [(6)] (5) This section does not require a health benefit plan to reimburse **a health professional:**

20 (a) [*A provider*] For a health service that is not a covered benefit under the plan [*or to reim-*
21 *burse a health professional who is not a covered provider under the plan*]; **or**

22 (b) **Who has not contracted with the plan.**

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

25 **SECTION 3.** This 2015 Act being necessary for the immediate preservation of the public
26 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
27 **on its passage.**

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