

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 50 entitled “An act relating to insurance coverage for telemedicine
4 services delivered in or outside a health care facility” respectfully reports that
5 it has considered the same and recommends that the bill be amended by
6 striking out Sec. 1 in its entirety and inserting in lieu thereof a new Sec. 1 to
7 read as follows:

8 Sec. 1. 8 V.S.A. § 4100k is amended to read:

9 § 4100k. COVERAGE OF TELEMEDICINE SERVICES

10 (a) All health insurance plans in this State shall provide coverage for
11 telemedicine services delivered by a health care provider at a distant site to a
12 patient ~~in or outside a health care facility~~ at an originating site to the same
13 extent that the services would be covered if they were provided through in-
14 person consultation.

15 (b) A health insurance plan may charge a deductible, co-payment, or
16 coinsurance for a health care service provided through telemedicine so long as
17 it does not exceed the deductible, co-payment, or coinsurance applicable to an
18 in-person consultation.

19 (c) A health insurance plan may limit coverage to health care providers in
20 the plan’s network and may require originating site health care providers to
21 document the reason the services are being provided by telemedicine rather

1 than in person. A health insurance plan shall not impose limitations on the
2 number of telemedicine consultations a covered person may receive that
3 exceed limitations otherwise placed on in-person covered services.

4 (d) Nothing in this section shall be construed to prohibit a health insurance
5 plan from providing coverage for only those services that are medically
6 necessary, subject to the terms and conditions of the covered person's policy.

7 (e) A health insurance plan may reimburse for teleophthalmology or
8 tele dermatology provided by store and forward means and may require the
9 distant site health care provider to document the reason the services are being
10 provided by store and forward means.

11 (f) Nothing in this section shall be construed to require a health insurance
12 plan to reimburse the distant site health care provider if the distant site health
13 care provider has insufficient information to render an opinion.

14 (g) In order to facilitate the use of telemedicine in treating substance use
15 disorder, health insurers and the Department of Vermont Health Access shall
16 ensure that both the treating clinician and the hosting facility are reimbursed
17 for the services rendered, unless the health care providers at both the host and
18 service sites are employed by the same entity.

19 (h) As used in this subchapter:

1 (1) **“Distant site” means the location of the health care provider**
2 **delivering services through telemedicine at the time the services are**
3 **provided.**

4 (2) “Health insurance plan” means any health insurance policy or health
5 benefit plan offered by a health insurer, as defined in 18 V.S.A. § 9402, as well
6 as Medicaid and any other public health care assistance program offered or
7 administered by the State or by any subdivision or instrumentality of the State.
8 The term does not include policies or plans providing coverage for specified
9 disease or other limited benefit coverage.

10 ~~(2)~~(3) “Health care facility” shall have the same meaning as in 18
11 V.S.A. § 9402.

12 ~~(3)~~(4) “Health care provider” means:

13 (A) a physician licensed pursuant to 26 V.S.A. chapter 23 or 33;

14 (B) a naturopathic physician licensed pursuant to 26 V.S.A.
15 chapter 81;

16 (C) an advanced practice registered nurse licensed pursuant to
17 26 V.S.A. chapter 28, subchapter 3;

18 (D) a physician assistant licensed pursuant to 26 V.S.A. chapter 31;

19 (E) a psychologist licensed pursuant to 26 V.S.A. chapter 55;

20 (F) a social worker licensed pursuant to 26 V.S.A. chapter 61;

1 (G) an alcohol and drug abuse counselor licensed pursuant to
2 26 V.S.A. chapter 62;

3 (H) a clinical mental health counselor licensed pursuant to 26 V.S.A.
4 chapter 65;

5 (I) a marriage and family therapist licensed pursuant to 26 V.S.A.
6 chapter 76;

7 (J) a psychoanalyst licensed pursuant to 26 V.S.A. chapter 77;

8 **(K) a physical therapist licensed pursuant to 26 V.S.A.**
9 **chapter 38;**

10 **(L) an occupational therapist licensed pursuant to 26 V.S.A.**
11 **chapter 71;**

12 **(M) a speech-language pathologist licensed pursuant to 26 V.S.A.**
13 **chapter 87; and**

14 **(N) a dietician certified pursuant to 26 V.S.A. chapter 73.**

15 **(5) “Originating site” means the location of the patient, whether or**
16 **not accompanied by a health care provider, at the time services are**
17 **provided by a health care provider through telemedicine, including a**
18 **health care provider’s office, a hospital, or a health care facility, or the**
19 **patient’s home or another nonmedical environment such as a**
20 **school-based health center, a university-based health center, or the**
21 **patient’s workplace.**

