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H.723

Introduced by Representatives Houghton of Essex, Christensen of  
Weathersfield, Cina of Burlington, Conquest of Newbury,  
Cordes of Lincoln, Donahue of Northfield, Durfee of  
Shaftsbury, Fegard of Berkshire, Killacky of South Burlington,  
Ode of Burlington, and Sabilia of Dover

Referred to Committee on

Date:

Subject: Health; health insurance; telemedicine; store and forward

Statement of purpose of bill as introduced: This bill proposes to expand health  
insurance coverage of telemedicine to include all health care services delivered  
through store-and-forward means.

An act relating to health insurance coverage for store-and-forward  
telemedicine

It is hereby enacted by the General Assembly of the State of Vermont:

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

§ 4100k. COVERAGE OF HEALTH CARE SERVICES DELIVERED  
THROUGH TELEMEDICINE

\* \* \*

1 (e) A health insurance plan ~~may~~ shall reimburse for ~~teleophthalmology or~~  
2 ~~teledermatology provided~~ health care services delivered by store and forward  
3 store-and-forward means and may require the distant site health care provider  
4 to document the reason the services are being provided by ~~store and forward~~  
5 store-and-forward means.

6 \* \* \*

7 (h) As used in this subchapter:

8 \* \* \*

9 (6) “Store and forward” means an asynchronous transmission of medical  
10 information, such as one or more video clips, audio clips, still images, x-rays,  
11 magnetic resonance imaging scans, electrocardiograms,  
12 electroencephalograms, laboratory results, or textual materials, sent by a  
13 referring health care provider over a secure connection that complies with the  
14 requirements of the Health Insurance Portability and Accountability Act of  
15 1996, Public Law 104–191 to be reviewed at a later date by a health care  
16 provider at a distant site who is trained in the relevant specialty ~~and by which,~~  
17 In store and forward, the health care provider at the distant site reviews the  
18 medical information without the patient present in real time and communicates  
19 a documented care plan back to the referring provider.

20 \* \* \*

1 Sec. 2. 18 V.S.A. § 9361 is amended to read:

2 § 9361. HEALTH CARE PROVIDERS DELIVERING HEALTH CARE  
3 SERVICES THROUGH SYNCHRONOUS OR ASYNCHRONOUS  
4 TELEMEDICINE OR BY STORE-AND-FORWARD MEANS

5 \* \* \*

6 (e) A patient receiving ~~teleophthalmology or teledermatology~~ health care  
7 services delivered by store-and-forward store-and-forward means shall be  
8 informed of the right to receive a consultation with the distant site health care  
9 provider and shall receive a consultation with the distant site health care  
10 provider upon request. If requested, the consultation with the distant site  
11 health care provider may occur either at the time of the initial consultation or  
12 within a reasonable period of time following the patient's notification of the  
13 results of the initial consultation. Receiving ~~teledermatology or~~  
14 ~~teleophthalmology~~ health care services by store-and-forward store-and-forward  
15 means shall not preclude a patient from receiving ~~real-time~~ real-time  
16 telemedicine or face-to-face services with the distant site health care provider  
17 at a future date. Originating site health care providers involved in the ~~store-and~~  
18 ~~forward~~ store-and-forward process shall obtain informed consent from the  
19 patient as described in subsection (c) of this section.

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on July 1, 2020.