

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1366

H.P. 956

House of Representatives, April 2, 2009

An Act To Increase Access to Health Care by Providing Insurance Coverage for Telemedicine

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative PIOTTI of Unity.
Cosponsored by Representative GILES of Belfast and
Representative: O'BRIEN of Lincolnville.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §2765** is enacted to read:

3 **§2765. Coverage for health care services provided through telemedicine**

4 All individual health insurance policies, contracts and certificates must provide
5 coverage for health care services that are provided through telemedicine if the health care
6 service would be covered were it provided through in-person consultation between the
7 covered person and a health care provider.

8 **1. Definition.** For the purposes of this section, "telemedicine," as it pertains to the
9 delivery of health care services, means the use of interactive audio, video or other
10 electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine"
11 does not include the use of audio-only telephone, facsimile machine or e-mail.

12 **2. Deductible, copayment and coinsurance.** A contract that provides coverage for
13 services under this section may contain a provision for a deductible, copayment or
14 coinsurance requirement for a health care service provided through telemedicine as long
15 as the deductible, copayment or coinsurance does not exceed the deductible, copayment
16 or coinsurance applicable to an in-person consultation.

17 **3. Coverage consistency.** Coverage for health care services under this section must
18 be consistent with coverage for health care services provided through in-person
19 consultation.

20 **4. Rulemaking.** The superintendent may adopt rules regarding coverage for health
21 care services provided through telemedicine. Rules adopted pursuant to this subsection
22 are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

23 **Sec. 2. 24-A MRSA §2847-Q** is enacted to read:

24 **§2847-Q. Coverage for health care services provided through telemedicine**

25 All group health insurance policies, contracts and certificates must provide coverage
26 for health care services that are provided through telemedicine if the health care service
27 would be covered were it provided through in-person consultation between the covered
28 person and a health care provider.

29 **1. Definition.** For the purposes of this section, "telemedicine," as it pertains to the
30 delivery of health care services, means the use of interactive audio, video or other
31 electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine"
32 does not include audio-only telephone, facsimile machine or e-mail.

33 **2. Deductible, copayment and coinsurance.** A contract that provides coverage for
34 services under this section may contain a provision for a deductible, copayment or
35 coinsurance requirement for a health care service provided through telemedicine as long
36 as the deductible, copayment or coinsurance does not exceed the deductible, copayment
37 or coinsurance applicable to an in-person consultation.

