

# MAINE STATE LEGISLATURE

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Date: 6/1/2017

(Filing No. S-187)

Majority

**INSURANCE AND FINANCIAL SERVICES**

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**STATE OF MAINE**

**SENATE**

**128TH LEGISLATURE**

**FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 304, L.D. 949, Bill, "An Act Regarding Telehealth"

Amend the bill by striking out all of section 2.

Amend the bill in section 3 in §4316 in subsection 1 in paragraph E in the next to the last line (page 2, line 14 in L.D.) by striking out the following: "remote patient monitoring" and inserting the following: 'telemonitoring'

Amend the bill in section 3 in §4316 in subsection 2 in the 8th line (page 2, line 31 in L.D.) by striking out the following: "as determined by the enrollee's provider"

Amend the bill in section 3 in §4316 in subsection 2 in the 12th line (page 2, line 35 in L.D.) by striking out the following: "an in-person" and inserting the following: 'a comparable service provided through in-person'

Amend the bill in section 3 in §4316 in subsection 3 in paragraph G in the first line (page 3, line 12 in L.D.) by inserting after the following: "persons" the following: 'who are enrolled in the carrier's health plan'

Amend the bill in section 3 in §4316 in subsection 4 in the first line (page 3, line 15 in L.D.) by striking out the following: "Coverage for telemonitoring" and inserting the following: 'Telemonitoring requirements'

Amend the bill in section 3 in §4316 in subsection 4 in paragraph C in the first line (page 3, line 22 in L.D.) by striking out the following: "to ensure" and inserting the following: 'and determined'

Amend the bill in section 3 in §4316 in subsection 4 in paragraph C in the 2nd line (page 3, line 23 in L.D.) by striking out the following: "to ensure" and inserting the following: 'determined'

Amend the bill in section 3 in §4316 by striking out all of subsection 6.

Amend the bill in section 3 in §4316 in subsection 9 in the last line (page 4, line 14 in L.D.) by inserting after the following: "section" the following: 'unless those credentialing

**COMMITTEE AMENDMENT**

1 requirements or prior approval requirements are the same as those imposed for a provider  
2 that does not provide health care services through telehealth'

3 Amend the bill in section 3 in §4316 by renumbering the subsections to read  
4 consecutively.

5 Amend the bill by adding after section 3 the following:

6 '**Sec. 4. Application.** The requirements of this Act apply to all policies, contracts  
7 and certificates executed, delivered, issued for delivery, continued or renewed in this  
8 State on or after January 1, 2019. For purposes of this Act, all contracts are deemed to be  
9 renewed no later than the next yearly anniversary of the contract date.'

10 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
11 section number to read consecutively.

## 12 SUMMARY

13 This amendment is the majority report of the committee and does the following.

14 1. It removes the provision in the bill requiring insurers to provide professional  
15 liability insurance coverage for health care services provided through telehealth services  
16 in the same manner as the coverage is provided for face-to-face contact between a health  
17 care practitioner and a patient.

18 2. It clarifies that carriers may only apply prior approval and credentialing  
19 requirements for providers for services provided through telehealth services if the  
20 requirements are the same as are applied for services provided in person.

21 3. It removes the provision requiring carriers to notify enrollees and prospective  
22 enrollees about coverage for telehealth services because carriers are already required to  
23 provide enrollees and prospective enrollees information about benefits and coverage.

24 4. It makes the bill's provisions apply to health insurance policies issued or renewed  
25 on or after January 1, 2019.

**FISCAL NOTE REQUIRED**  
(See attached)



# 128th MAINE LEGISLATURE

LD 949

LR 533(02)

An Act Regarding Telehealth

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-187)  
Committee: Insurance and Financial Services  
Fiscal Note Required: Yes

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## Fiscal Note

Potential future biennium cost increase - All Funds

### Fiscal Detail and Notes

The bill has an effective date of January 1, 2019, so only contracts executed after January 1, 2019 will be required to meet the coverage in this bill. Currently, within the State Employee Health Plan (SEHP), telehealth services are consistent with coverage for in-person services and with providers acting in his/her scope of practice. Beginning with the SEHP contract for fiscal year 2019-20, the telehealth service requirements will be expanded and there is a potential for an increase in costs to the SEHP. It is expected that some number of services will be shifted to telehealth from an in-office visit and will have no cost impact to the SEHP. However, there may also be additional services covered via telehealth that would never have been provided in an office. It is not know how many additional services will be provided through this expanded telehealth offering and no estimate of cost is made at this time.