

MAINE STATE LEGISLATURE

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ENCLOSURE

MAJORITY

Date: 5/30/19

(Filing No. S-176)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 383, L.D. 1263, Bill, "An Act Regarding Telehealth"

Amend the bill in section 2 in §4316 in subsection 1 by striking out all of paragraph A (page 1, lines 24 and 25 in L.D.)

Amend the bill in section 2 in §4316 in subsection 1 by striking out all of paragraph C (page 1, lines 29 and 30 in L.D.)

Amend the bill in section 2 in §4316 in subsection 1 in paragraph E in the 5th line (page 1, line 37 in L.D.) by striking out the following: "at an enrollee originating site"

Amend the bill in section 2 in §4316 in subsection 1 in paragraph E in the 6th line (page 1, line 38 in L.D.) by striking out the following: "at a provider distant site"

Amend the bill in section 2 in §4316 in subsection 1 by relettering the paragraphs to read alphabetically.

Amend the bill in section 2 in §4316 in subsection 2 in the 2nd and 3rd from last lines (page 2, lines 24 and 25 in L.D.) by striking out the following: "between the enrollee and the provider and not through an in-person consultation between the enrollee and the provider"

Amend the bill in section 2 in §4316 in subsection 3 in paragraph E in the first line (page 2, line 38 in L.D.) by striking out the following: "physical exam" and inserting the following: 'clinical evaluation'

Amend the bill in section 2 in §4316 in subsection 3 by striking out all of paragraph F (page 2, lines 40 and 41 in L.D.)

Amend the bill in section 2 in §4316 in subsection 3 by relettering the paragraphs to read alphabetically.

Amend the bill in section 2 in §4316 by striking out all of subsections 4 to 6 (page 3, lines 4 to 29 in L.D.) and inserting the following:

COMMITTEE AMENDMENT

1 4. Telemonitoring requirements. A carrier shall provide coverage for
2 telemonitoring if:

3 A. The telemonitoring is intended to collect an enrollee's health-related data,
4 including, but not limited to, pulse and blood pressure readings, that assist a provider
5 in monitoring and assessing the enrollee's medical condition;

6 B. The telemonitoring is medically necessary for the enrollee;

7 C. The enrollee is cognitively and physically capable of operating the mobile health
8 devices the enrollee has a caregiver willing and able to assist with the mobile health
9 devices; and

10 D. The enrollee's residence is suitable for telemonitoring. If the residence appears
11 unable to support telemonitoring, the telemonitoring may not be provided unless
12 necessary adaptations are made.

13 5. Coverage for telephonic services. A carrier shall provide coverage for
14 telephonic services when scheduled telehealth services are technologically unavailable at
15 the time of the scheduled telehealth service for an existing enrollee and the telephonic
16 services are medically appropriate for the corresponding covered health care services.'

17 Amend the bill in section 2 in §4316 by renumbering the subsections to read
18 consecutively.

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

20 **'Sec. 4. Exemption from review.** Notwithstanding the Maine Revised Statutes,
21 Title 24-A, section 2752, that section of this Act that enacts Title 24-A, section 4316 is
22 enacted without review and evaluation by the Department of Professional and Financial
23 Regulation, Bureau of Insurance.'

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

26 SUMMARY

27 This amendment does the following.

28 1. It strikes the references in the bill to "enrollee originating site" and "provider
29 distant site" and removes those definitions.

30 2. It requires that a clinical evaluation be required before a provider may write a
31 covered prescription through telehealth. The bill requires a physical exam.

32 3. It removes the prohibition for coverage of prescribed schedule I, II or III
33 controlled substances.

34 4. It clarifies the telemonitoring requirements and provides that telephonic services
35 are covered when scheduled telehealth services are technologically unavailable at the
36 time of the scheduled telehealth service for an existing enrollee.

37 5. It removes the exclusions section of the bill.

4018

COMMITTEE AMENDMENT "A" to S.P. 383, L.D. 1263 (S-17W)

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6. It adds language exempting the bill from the provisions of the Maine Revised Statutes, Title 24-A, section 2752.