

By: Shaheen

H.B. No. 1390

A BILL TO BE ENTITLED

1 AN ACT
2 relating to telemedicine medical services and telehealth services
3 covered by certain health benefit plans or provided by a
4 pharmacist.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 1455.001(1-a), Insurance Code, is
7 amended to read as follows:

8 (1-a) "Health professional" means:

9 (A) a physician;

10 (B) an individual who is:

11 (i) licensed or certified in this state to
12 perform health care services; and

13 (ii) authorized to assist:

14 (a) a physician in providing
15 telemedicine medical services that are delegated and supervised by
16 the physician; or

17 (b) a dentist in providing
18 teledentistry dental services that are delegated and supervised by
19 the dentist;

20 (C) a licensed or certified health professional,
21 including a mental health professional, acting within the scope of
22 the license or certification who does not perform a telemedicine
23 medical service or a teledentistry dental service; ~~[or]~~

24 (D) a dentist; or

1 (E) an individual who is credentialed to provide
2 qualified mental health professional community services, has
3 demonstrated and documented competency in the work to be performed,
4 and:

5 (i) holds a bachelor's or more advanced
6 degree from an accredited institution of higher education with a
7 minimum number of hours that is equivalent to a major in psychology,
8 social work, medicine, nursing, rehabilitation, counseling,
9 sociology, human growth and development, physician assistant
10 studies, gerontology, special education, educational psychology,
11 early childhood education, or early childhood intervention;

12 (ii) is a registered nurse; or

13 (iii) completes an alternative
14 credentialing process identified by the Health and Human Services
15 Commission.

16 SECTION 2. Section 554.005, Occupations Code, is amended by
17 adding Subsection (d) to read as follows:

18 (d) In implementing Subsection (a)(3)(C)(iv), the board may
19 not require the in-person counseling of patients.

20 SECTION 3. Chapter 1455, Insurance Code, as amended by this
21 Act, applies only to a health benefit plan delivered, issued for
22 delivery, or renewed on or after January 1, 2024. A health benefit
23 plan delivered, issued for delivery, or renewed before January 1,
24 2024, is governed by the law as it existed immediately before the
25 effective date of this Act, and that law is continued in effect for
26 that purpose.

27 SECTION 4. This Act takes effect September 1, 2023.