

By: Buckingham

S.B. No. 670

A BILL TO BE ENTITLED

AN ACT

relating to Medicaid telemedicine and telehealth services.

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

SECTION 1. Section 531.0216, Government Code, is amended by amending Subsection (b) and adding Subsection (g) to read as follows:

(b) In developing the system, the executive commissioner by rule shall:

(1) review programs and pilot projects in other states to determine the most effective method for reimbursement;

(2) establish billing codes and a fee schedule for services;

(3) ~~[consult with the Department of State Health Services to establish procedures to:~~

~~[(A) identify clinical evidence supporting delivery of health care services using a telecommunications system, and~~

~~[(B) annually review health care services, considering new clinical findings, to determine whether reimbursement for particular services should be denied or authorized,~~

~~[(4)]~~ establish a separate provider identifier for telemedicine medical services providers, telehealth services providers, and home telemonitoring services providers; and

1 (4) ~~[(5)]~~ establish a separate modifier for
2 telemedicine medical services, telehealth services, and home
3 telemonitoring services eligible for reimbursement.

4 (g) The commission shall ensure a managed care organization
5 that contracts with the commission under Chapter 533 to provide
6 health care services to Medicaid recipients does not deny
7 reimbursement for a covered health care service or procedure
8 delivered by a health care provider with whom the managed care
9 organization contracts to a recipient as a telemedicine medical
10 service or a telehealth service solely because the covered service
11 or procedure is not provided through an in-person consultation.

12 SECTION 2. Section 531.0217(c-4), Government Code, is
13 amended to read as follows:

14 (c-4) The commission shall ensure that Medicaid
15 reimbursement is provided to a physician for a telemedicine medical
16 service provided by the physician, even if the physician is not the
17 patient's primary care physician or provider, if:

18 (1) the physician is an authorized health care
19 provider under Medicaid;

20 (2) the patient is a child who receives the service in
21 a primary or secondary school-based setting; and

22 (3) the parent or legal guardian of the patient
23 provides consent before the service is provided~~[, and~~

24 ~~[(4) a health professional is present with the patient~~
25 ~~during the treatment]~~.

26 SECTION 3. The following provisions of the Government Code
27 are repealed:

- (1) Section 531.0216(e);
- (2) Section 531.02161;
- (3) Sections 531.0217(c-2) and (c-3); and
- (4) Section 531.02173.

SECTION 4. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 5. This Act takes effect September 1, 2019.