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By:  Shaheen H.B. No. 1390

A BILL TO BE ENTITLED

AN ACT

relating to telemedicine medical services and telehealth services covered by certain health benefit plans or provided by a pharmacist.

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

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

(1-a)  "Health professional" means:

(A)  a physician;

(B)  an individual who is:

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

(ii)  authorized to assist:

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

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

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

(D)  a dentist; or

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

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

(ii)  is a registered nurse; or

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

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

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

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

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