

By: Bhojani, A. Johnson of Harris, Cortez,
Hull, Harris of Williamson

H.B. No. 3942

Substitute the following for H.B. No. 3942:

By: Oliverson

C.S.H.B. No. 3942

A BILL TO BE ENTITLED

AN ACT

relating to health benefit plan coverage of telemedicine,
teledentistry, and telehealth appointments with an originating
site or distant site located outside this state.

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

SECTION 1. Section 1455.001, Insurance Code, is amended by
amending Subdivision (1-a) and adding Subdivisions (1-b) and (1-c)
to read as follows:

(1-a) "Distant site" means the location where a health
professional provides a telemedicine medical service,
teledentistry dental service, or telehealth service.

(1-b) "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

1 acting within the scope of the license or certification who does not
2 perform a telemedicine medical service or a teledentistry dental
3 service; or

4 (D) a dentist.

5 (1-c) "Originating site" means the location where an
6 individual receives a telemedicine medical service, teledentistry
7 dental service, or telehealth service.

8 SECTION 2. Section 1455.004, Insurance Code, is amended by
9 adding Subsection (e) to read as follows:

10 (e) A health benefit plan must provide coverage for a
11 covered health care service or procedure delivered as a
12 telemedicine medical service, teledentistry dental service, or
13 telehealth service with an originating site or distant site located
14 outside this state on the same basis and to the same extent that the
15 plan provides coverage for the service or procedure delivered as a
16 telemedicine medical service, teledentistry dental service, or
17 telehealth service with an originating site and distant site
18 located in this state if:

19 (1) the individual who receives the service resides
20 primarily in this state; and

21 (2) the health professional who provides the service:
22 (A) is licensed or otherwise authorized to
23 provide the service in this state; and

24 (B) has a physical office in this state.

25 SECTION 3. Section 1455.004, Insurance Code, as amended by
26 this Act, applies only to a health benefit plan delivered, issued
27 for delivery, or renewed on or after January 1, 2024. A health

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1 benefit plan delivered, issued for delivery, or renewed before
2 January 1, 2024, is governed by the law as it existed immediately
3 before the effective date of this Act, and that law is continued in
4 effect for that purpose.

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