

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Increase Access to Health Care by Providing Insurance Coverage for Telemedicine**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 24-A MRSA §2765** is enacted to read:

### **§ 2765. Coverage for health care services provided through telemedicine**

All individual health insurance policies, contracts and certificates must provide coverage for health care services that are provided through telemedicine if the health care service would be covered were it provided through in-person consultation between the covered person and a health care provider.

**1. Definition.** For the purposes of this section, "telemedicine," as it pertains to the delivery of health care services, means the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine" does not include the use of audio-only telephone, facsimile machine or e-mail.

**2. Deductible, copayment and coinsurance.** A contract that provides coverage for services under this section may contain a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telemedicine as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

**3. Coverage consistency.** Coverage for health care services under this section must be consistent with coverage for health care services provided through in-person consultation.

**4. Rulemaking.** The superintendent may adopt rules regarding coverage for health care services provided through telemedicine. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 24-A MRSA §2847-Q** is enacted to read:

### **§ 2847-Q. Coverage for health care services provided through telemedicine**

All group health insurance policies, contracts and certificates must provide coverage for health care services that are provided through telemedicine if the health care service would be covered were it provided through in-person consultation between the covered person and a health care provider.

**1. Definition.** For the purposes of this section, "telemedicine," as it pertains to the delivery of health care services, means the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine" does not include audio-only telephone, facsimile machine or e-mail.

**2. Deductible, copayment and coinsurance.** A contract that provides coverage for services under this section may contain a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telemedicine as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

**3. Coverage consistency.** Coverage for health care services under this section must be consistent with coverage for health care services provided through in-person consultation.

**4. Rulemaking.** The superintendent may adopt rules regarding coverage for health care services provided through telemedicine. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. 3. 24-A MRS §4257** is enacted to read:

**§ 4257. Coverage for health care services provided through telemedicine**

All individual and group health maintenance organization policies, contracts and certificates must provide coverage for health care services that are provided through telemedicine if the health care service would be covered were it provided through in-person consultation between the covered person and a health care provider.

**1. Definition.** For the purposes of this section, "telemedicine," as it pertains to the delivery of health care services, means the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine" does not include audio-only telephone, facsimile machine or e-mail.

**2. Deductible, copayment and coinsurance.** A contract that provides coverage for services under this section may contain a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telemedicine as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

**3. Coverage consistency.** Coverage for health care services under this section must be consistent with payment for health care services provided through in-person consultation.

**4. Rulemaking.** The superintendent may adopt rules regarding coverage for health care services provided through telemedicine. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. 4. Application.** The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2010. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

## **SUMMARY**

This bill provides for coverage of health care services delivered through telemedicine. The bill allows deductibles, copayments and coinsurance the same as for in-person health services and provides for coverage consistent with in-person health care services. The provisions of the bill apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2010.