



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1485

S.P. 515

In Senate, April 18, 2017

### An Act Regarding MaineCare Coverage for Telehealth Services

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative MASTRACCIO of Sanford and  
Senators: KATZ of Kennebec, LIBBY of Androscoggin, SAVIELLO of Franklin,  
Representatives: PIERCE of Dresden, RYKERSON of Kittery.

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

2 **Sec. 1. 22 MRSA §3173-H** is enacted to read:

3 **§3173-H. Services delivered through telehealth**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Patient originating site" means a site where a patient is physically located at the  
7 time that health care services are provided through telehealth.

8 B. "Provider distant site" means a site where a provider is physically located while  
9 providing health care services through telehealth.

10 C. "Store and forward transfers" means transmission of a patient's recorded health  
11 history through a secure electronic system to a provider.

12 D. "Telehealth," as it pertains to the delivery of health care services, means the use  
13 of interactive real-time visual and audio or other electronic media for the purpose of  
14 consultation and education concerning and diagnosis, treatment, care management  
15 and self-management of a patient's physical and mental health and includes real-time  
16 interaction between the patient at a patient originating site and the telehealth provider  
17 at a provider distant site, synchronous encounters, asynchronous encounters, store  
18 and forward transfers and remote patient monitoring. "Telehealth" does not include  
19 the use of audio-only telephone, facsimile machine, e-mail or texting.

20 E. "Telemonitoring," as it pertains to the delivery of health care services, means the  
21 use of information technology to remotely monitor a patient's health status via  
22 electronic means through the use of clinical data while the patient remains in a  
23 residential setting, allowing the provider to track the patient's health data over time.  
24 Telemonitoring may or may not take place in real time.

25 **2. Reimbursement.** Services under MaineCare that are delivered through telehealth  
26 must be reimbursed at the same rates as those services that are not delivered through  
27 telehealth.

28 **3. Standards.** The department shall develop standards to facilitate and integrate the  
29 use of telehealth under MaineCare. In developing standards, the department must consult  
30 with health care providers, health care policy analysts, persons with expertise in health  
31 care finance and the Legislature. The department may solicit, apply for and receive grants  
32 that support the development of the technology infrastructure necessary to support the  
33 delivery of health care services through telehealth and that support access to equipment,  
34 technical support and education related to telehealth for health care providers.

35 **4. Annual report.** Beginning April 1, 2018 and annually thereafter, the department  
36 shall report to the joint standing committee of the Legislature having jurisdiction over  
37 health and human services matters on the use of telehealth in MaineCare, including its  
38 effect on health care costs, quality and access.

