

## State Corporation Commission 2010 Fiscal Impact Statement

**1. Bill Number:** HB1182

House of Origin	<u>  X  </u>	Introduced	<u>      </u>	Substitute	<u>      </u>	Engrossed
Second House	<u>      </u>	In Committee	<u>      </u>	Substitute	<u>      </u>	Enrolled

**2. Patron:** Phillips

**3. Committee:** Commerce and Labor

**4. Title:** Health insurance; mandated coverage for telemedicine services.

**5. Summary:** Requires insurers to provide health insurance coverage for the treatment of telemedicine services. "Telemedicine services" means the use of interactive audio, video, or other telecommunications technology by a health care provider to deliver health care services within the scope of the provider's practice at a site other than the site where the patient is located, including the use of electronic media for consultation relating to the health care diagnosis or treatment of the patient. "Telemedicine services" do not include an audio-only telephone conversation, electronic mail message, or facsimile transmission between a health care provider and a patient. An insurer, corporation, or HMO cannot exclude a service for coverage solely because the service is provided through telemedicine and is not provided through face-to-face consultation or contact between a health care provider and a patient for services appropriately provided through telemedicine services. No insurer, corporation, or HMO can impose any annual or lifetime dollar maximum on coverage for telemedicine services other than an annual or lifetime dollar maximum that applies in the aggregate to all items and services covered under the policy, or impose upon any person receiving benefits pursuant to this section any co-payment, coinsurance, or deductible amounts, or any policy year, calendar year, lifetime, or other durational benefit limitation or maximum for benefits or services, that is not equally imposed upon all terms and services covered under the policy, contract, or plan. The requirements of the bill apply to all insurance policies, contracts, and plans delivered, issued for delivery, reissued, or extended in the Commonwealth on and after January 1, 2011, or at any time thereafter when any term of the policy, contract, or plan is changed or any premium adjustment is made. The bill does not apply to short-term travel, accident-only, limited or specified disease, or individual conversion policies or contracts, or to policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans.

**6. No Fiscal Impact on the State Corporation Commission**

**7. Budget amendment necessary:** No

**8. Fiscal implications:** None on the State Corporation Commission

**9. Specific agency or political subdivisions affected:** State Corporation Commission Bureau of Insurance

**10. Technical amendment necessary:** No

**11. Other comments:** House Bill 1182 is similar to 2009 House Bill 2191 (also patroned by Delegate Phillips) and 2009 Senate Bill 1458 that were referred to the Special Advisory Commission on Mandated Health Insurance benefits (Advisory Commission) for review. The 2009 bills required coverage for “telehealth services” under accident and sickness insurance policies. The analyses by both agencies providing staff support to the Advisory Commission, the Bureau of Insurance and the Joint Legislative Audit and Review Commission, noted the differences in mandating coverage for telehealth services vs. telemedicine. The bills were reviewed by the Advisory Commission and a public hearing was held. The bills were scheduled to be voted on at the November 17, 2009 meeting. At that meeting, Delegate Phillips presented amended language for HB 2191 that is identical to HB 1182. He asked that the Advisory Commission defer a vote on his original bill and review the revised language in 2010. He noted the revised language would narrow the scope of the proposed mandate and was consistent with his original intent in introducing the legislation. The Advisory Commission voted unanimously (10 to 0) to defer House Bill 2191 and Senate Bill 1458 until 2010. Delegate Phillips introduced HB 1182 in the 2010 Session.

**Date:** 02/09/10/V. Tompkins

**cc:** Secretary of Health and Human Resources