

HOUSE BILL No. 1451

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-36-1-1; IC 27-8-34; IC 27-13.

Synopsis: Coverage of telemedicine services. Includes, within the health care consent law, telemedicine services. Provides for coverage of telemedicine services under a policy of accident and sickness insurance and a health maintenance organization contract.

Effective: July 1, 2015.

**Davisson, Clere, Shackelford,
Brown C**

January 14, 2015, read first time and referred to Committee on Public Health.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1451



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-36-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. As used in this
3 chapter, "health care" means any care, treatment, service, or procedure
4 to maintain, diagnose, or treat an individual's physical or mental
5 condition. The term includes **the following**:
6 (1) Admission to a health care facility.
7 (2) **Telemedicine services (as defined in IC 27-8-34-5).**
8 SECTION 2. IC 27-8-34 IS ADDED TO THE INDIANA CODE AS
9 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2015]:
11 **Chapter 34. Coverage for Telemedicine Services**
12 **Sec. 1. As used in this chapter, "covered individual" means an**
13 **individual who is entitled to coverage under a policy of accident**
14 **and sickness insurance.**
15 **Sec. 2. As used in this chapter, "health care services" has the**



1 meaning set forth in IC 27-8-11-1.

2 Sec. 3. As used in this chapter, "policy" means a policy of
3 accident and sickness insurance (as defined in IC 27-8-5-1).

4 Sec. 4. As used in this chapter, "provider" has the meaning set
5 forth in IC 27-8-11-1.

6 Sec. 5. (a) As used in this chapter, "telemedicine services"
7 means health care services delivered by use of interactive audio,
8 video, or other electronic media, including the following:

9 (1) Medical exams and consultations.

10 (2) Behavioral health, including substance abuse evaluations
11 and treatment.

12 (b) The term does not include the delivery of health care
13 services by use of the following:

14 (1) A telephone transmitter for transtelephonic monitoring.

15 (2) A telephone or any other means of communication for the
16 consultation from one (1) provider to another provider.

17 Sec. 6. (a) A policy of accident and sickness insurance must
18 provide coverage for telemedicine services:

19 (1) to the same extent that; and

20 (2) in the same amount as;

21 the policy provides coverage for the same health care services
22 delivered in person.

23 (b) Coverage for telemedicine services required by subsection
24 (a) may not be subject to a dollar limit, deductible, or coinsurance
25 requirement that is less favorable to a covered individual than the
26 dollar limit, deductible, or coinsurance requirement that applies to
27 the same health care services delivered to a covered individual in
28 person.

29 (c) Any annual or lifetime dollar limit that applies to
30 telemedicine services must be the same annual or lifetime dollar
31 limit that applies in the aggregate to all items and services covered
32 under the policy.

33 Sec. 7. This chapter does not do any of the following:

34 (1) Require a policy to provide coverage for a telemedicine
35 service that is not a covered health care service under the
36 policy.

37 (2) Require the use of telemedicine services when the treating
38 provider has determined that telemedicine services are
39 inappropriate.

40 (3) Prevent the use of utilization review concerning coverage
41 for telemedicine services in the same manner as utilization
42 review is used concerning coverage for the same health care



1 **services delivered to a covered individual in person.**

2 SECTION 3. IC 27-13-1-34 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2015]: **Sec. 34. (a) "Telemedicine services" means health care
5 services delivered by use of interactive audio, video, or other
6 electronic media, including the following:**

7 **(1) Medical exams and consultations.**

8 **(2) Behavioral health, including substance abuse evaluations
9 and treatment.**

10 **(b) The term does not include the delivery of health care
11 services by use of the following:**

12 **(1) A telephone transmitter for transtelephonic monitoring.**

13 **(2) A telephone or any other means of communication for the
14 consultation from one (1) provider to another provider.**

15 SECTION 4. IC 27-13-7-22 IS ADDED TO THE INDIANA CODE
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2015]: **Sec. 22. (a) An individual contract or a group contract
18 must provide coverage for telemedicine services:**

19 **(1) to the same extent that; and**

20 **(2) in the same amount as;**

21 **the individual contract or the group contract provides coverage for
22 the same health care services delivered to an enrollee in person.**

23 **(b) Coverage for telemedicine services required by subsection
24 (a) may not be subject to a dollar limit, copayment, or coinsurance
25 requirement that is less favorable to an enrollee than the dollar
26 limit, copayment, or coinsurance requirement that applies to the
27 same health care services delivered to an enrollee in person.**

28 **(c) Any annual or lifetime dollar limit that applies to
29 telemedicine services must be the same annual or lifetime dollar
30 limit that applies in the aggregate to all items and services covered
31 under the individual contract or the group contract.**

32 **(d) This section does not do any of the following:**

33 **(1) Require an individual contract or a group contract to
34 provide coverage for a telemedicine service that is not a
35 covered health care service under the individual contract or
36 group contract.**

37 **(2) Require the use of telemedicine services when the treating
38 provider has determined that telemedicine services are
39 inappropriate.**

40 **(3) Prevent the use of utilization review concerning coverage
41 for telemedicine services in the same manner as utilization
42 review is used concerning coverage for the same health care**



1 **services delivered to an enrollee in person.**

