

House File 89 - Introduced

HOUSE FILE 89

BY FRY

A BILL FOR

1 An Act relating to reimbursement rates for health care services
2 for mental health conditions, illnesses, injuries, or
3 diseases provided to covered persons by telehealth, and
4 including effective date and retroactive applicability
5 provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 514C.34, subsection 1, Code 2021, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. *0a.* "Covered person" means the same as
4 defined in section 514J.102.

5 NEW PARAGRAPH. *00a.* "Facility" means the same as defined in
6 section 514J.102.

7 NEW PARAGRAPH. *0c.* "Health carrier" means the same as
8 defined in section 514J.102.

9 Sec. 2. Section 514C.34, subsection 1, paragraph c, Code
10 2021, is amended to read as follows:

11 *c.* "Telehealth" means the delivery of health care services
12 through the use of real-time interactive audio and video, or
13 other real-time interactive electronic media, regardless of
14 where the health care professional and the covered person are
15 each located. "Telehealth" does not include the delivery of
16 health care services delivered solely through an audio-only
17 telephone, electronic mail message, or facsimile transmission.

18 Sec. 3. Section 514C.34, Code 2021, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 3A. *a.* A health carrier shall reimburse
21 a health care professional and a facility for health care
22 services provided by telehealth to a covered person for a
23 mental health condition, illness, injury, or disease on the
24 same basis and at the same rate as the health carrier would
25 apply to the same health care services for a mental health
26 condition, illness, injury, or disease provided in person to a
27 covered person by the health care professional or the facility.

28 *b.* As a condition of reimbursement pursuant to paragraph
29 "a", a health carrier shall not require that an additional
30 health care professional be located in the same room as a
31 covered person while health care services for a mental health
32 condition, illness, injury, or disease are provided via
33 telehealth by another health care professional to the covered
34 person.

35 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate

1 importance, takes effect upon enactment.

2 Sec. 5. RETROACTIVE APPLICABILITY. This Act applies to
3 health care services for a mental health condition, illness,
4 injury, or disease provided by a health care professional or a
5 facility to a covered person by telehealth on or after January
6 1, 2021.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill requires a health carrier to reimburse a health
11 care professional or a facility for health care services for a
12 mental health condition, illness, injury, or disease provided
13 to a covered person via telehealth on the same basis and at the
14 same rate as the health carrier would apply to the same health
15 care services provided to the covered person by the health
16 care professional or facility in person. "Health carrier" is
17 defined in the bill.

18 The bill amends the definition of "telehealth" to specify
19 that the delivery of health care services via telehealth must
20 include real-time interactive audio, video, or electronic
21 media, regardless of the location of the health care
22 professional or the covered person.

23 The bill prohibits a health carrier from requiring an
24 additional health care professional to be located in the same
25 room as a covered person while health care service for a mental
26 health condition, illness, injury, or disease are provided via
27 telehealth by another health care professional to the covered
28 person.

29 The bill is effective upon enactment and applies
30 retroactively to health care services for a mental health
31 condition, illness, injury, or disease provided to a covered
32 person via telehealth on or after January 1, 2021.