

**Senate File 92 - Introduced**

SENATE FILE 92

BY ZAUN

**A BILL FOR**

1 An Act relating to reimbursement rates for health care services  
2 provided to covered persons by telehealth, and including  
3 effective date and retroactive applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 514C.34, Code 2021, is amended to read  
2 as follows:

3 **514C.34 Health care services delivered by telehealth —**  
4 **coverage.**

5 1. As used in [this section](#), unless the context otherwise  
6 requires:

7 0a. "Covered person" means the same as defined in section  
8 514J.102.

9 *a. "Health care professional" means the same as defined in*  
10 *section 514J.102.*

11 *b. "Health care services" means the same as defined in*  
12 *section 514J.102 and includes services for mental health*  
13 *conditions, illnesses, injuries, or diseases.*

14 0c. "Health carrier" means the same as defined in section  
15 514J.102.

16 *c. "Telehealth" means the delivery of health care services*  
17 *through the use of interactive audio and video. "Telehealth"*  
18 *does not include the delivery of health care services through*  
19 *an ~~audio-only telephone~~, electronic mail message, or facsimile*  
20 *transmission.*

21 2. Notwithstanding the uniformity of treatment requirements  
22 of [section 514C.6](#), a policy, contract, or plan providing for  
23 third-party payment or prepayment of health or medical expenses  
24 shall not discriminate between coverage benefits for health  
25 care services that are provided in person and the same health  
26 care services that are delivered through telehealth.

27 3. Health care services that are delivered by telehealth  
28 must be appropriate and delivered in accordance with applicable  
29 law and generally accepted health care practices and standards  
30 prevailing at the time the health care services are provided,  
31 including all rules adopted by the appropriate professional  
32 licensing board, pursuant to [chapter 147](#), having oversight  
33 of the health care professional providing the health care  
34 services.

35 3A. A health carrier shall reimburse a health care

1 professional for health care services provided to a covered  
2 person by telehealth on the same basis and at the same rate as  
3 the health carrier would apply to the same health care services  
4 provided to a covered person by the health care professional  
5 in person.

6 4. This section applies to the following classes of  
7 third-party payment provider policies, contracts, or plans  
8 ~~delivered, issued for delivery, continued, or renewed in this~~  
9 ~~state on or after January 1, 2019:~~

10 a. Individual or group accident and sickness insurance  
11 providing coverage on an expense-incurred basis.

12 b. An individual or group hospital or medical service  
13 contract issued pursuant to chapter 509, 514, or 514A.

14 c. An individual or group health maintenance organization  
15 contract regulated under chapter 514B.

16 d. A plan established pursuant to chapter 509A for public  
17 employees.

18 e. The medical assistance program established pursuant to  
19 chapter 249A, including a managed care organization acting  
20 pursuant to a contract with the department of human services to  
21 provide coverage to medical assistance program members.

22 5. This section shall not apply to accident-only,  
23 specified disease, short-term hospital or medical, hospital  
24 confinement indemnity, credit, dental, vision, Medicare  
25 supplement, long-term care, basic hospital and medical-surgical  
26 expense coverage as defined by the commissioner, disability  
27 income insurance coverage, coverage issued as a supplement  
28 to liability insurance, workers' compensation or similar  
29 insurance, or automobile medical payment insurance.

30 6. The commissioner of insurance ~~may~~ shall adopt rules  
31 pursuant to chapter 17A as necessary to administer this  
32 section.

33 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
34 importance, takes effect upon enactment.

35 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies

1 retroactively to third-party payment provider contracts,  
2 policies, or plans delivered, issued for delivery, continued,  
3 or renewed in this state on or after January 1, 2021.

4

EXPLANATION

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

6

7 This bill requires health carriers to reimburse health care  
8 professionals for health care services provided to covered  
9 persons by telehealth on the same basis and at the same rate as  
10 the health carrier would apply to the same health care services  
11 provided to a covered person by a health care professional in  
12 person. Current law excludes health care services delivered  
13 through an audio-only telephone from the definition of  
14 "telehealth". The bill includes audio-only telephone in the  
15 definition.

16 The bill applies to the third-party payment providers  
17 enumerated in the bill. The bill specifies the types of  
18 specialized health-related insurance which are not subject to  
19 the bill.

20 The commissioner of insurance must adopt rules to administer  
21 the requirements of the bill.

22 The bill becomes effective upon enactment and applies  
23 retroactively to third-party payment provider contracts,  
24 policies, or plans delivered, issued for delivery, continued,  
25 or renewed in this state on or after January 1, 2021.