

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.