

REFERENCE TITLE: health insurance; telemedicine

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

SB 1353

Introduced by
Senators Griffin, Bradley, Burges, Driggs, Jackson Jr., Ward;
Representatives Borrelli, Gowan, Steele, Stevens: Senators Cajero Bedford,
Crandell, Hobbs, Lopez, Melvin, Murphy, Worsley; Representatives Brophy
McGee, Carter, Fann, Gray, Meyer, Thorpe

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-841.09; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.13; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1376.05; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1406.05; RELATING TO TELEMEDICINE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 20-841.09, to read:

4 20-841.09. Telemedicine; coverage of health care services:
5 definition

6 A. ALL POLICIES, CONTRACTS AND CERTIFICATES EXECUTED, DELIVERED,
7 ISSUED FOR DELIVERY, CONTINUED OR RENEWED ON OR AFTER JANUARY 1, 2014 MUST
8 PROVIDE COVERAGE FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH
9 TELEMEDICINE IF THE HEALTH CARE SERVICE WOULD BE COVERED WERE IT PROVIDED
10 THROUGH IN-PERSON CONSULTATION BETWEEN THE SUBSCRIBER AND A HEALTH CARE
11 PROVIDER. THE POLICY, CONTRACT OR CERTIFICATE MAY LIMIT THE COVERAGE TO
12 THOSE HEALTH CARE PROVIDERS IN A TELEMEDICINE NETWORK THAT ARE APPROVED BY
13 THE CORPORATION.

14 B. THIS SECTION DOES NOT PREVENT A CORPORATION FROM IMPOSING
15 DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH CARE SERVICE
16 PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR COINSURANCE
17 DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE APPLICABLE TO AN
18 IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

19 C. FOR THE PURPOSES OF THIS SECTION, "TELEMEDICINE":

20 1. MEANS THE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC MEDIA FOR THE
21 PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

22 2. DOES NOT INCLUDE THE USE OF AN AUDIO-ONLY TELEPHONE, A FACSIMILE
23 MACHINE OR ELECTRONIC MAIL.

24 Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes, is
25 amended by adding section 20-1057.13, to read:

26 20-1057.13. Telemedicine; coverage of health care services:
27 definition

28 A. AN EVIDENCE OF COVERAGE ISSUED BY A HEALTH CARE SERVICES
29 ORGANIZATION UNDER ALL POLICIES, CONTRACTS AND CERTIFICATES EXECUTED,
30 DELIVERED, ISSUED FOR DELIVERY, CONTINUED OR RENEWED ON OR AFTER JANUARY 1,
31 2014 MUST PROVIDE COVERAGE FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH
32 TELEMEDICINE IF THE HEALTH CARE SERVICE WOULD BE COVERED WERE IT PROVIDED
33 THROUGH IN-PERSON CONSULTATION BETWEEN THE ENROLLEE AND A HEALTH CARE
34 PROVIDER. THE EVIDENCE OF COVERAGE MAY LIMIT THE COVERAGE TO THOSE HEALTH
35 CARE PROVIDERS IN A TELEMEDICINE NETWORK THAT ARE APPROVED BY THE HEALTH CARE
36 SERVICES ORGANIZATION.

37 B. THIS SECTION DOES NOT PREVENT A HEALTH CARE SERVICES ORGANIZATION
38 FROM IMPOSING DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH
39 CARE SERVICE PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR
40 COINSURANCE DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE
41 APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

42 C. FOR THE PURPOSES OF THIS SECTION, "TELEMEDICINE":

43 1. MEANS THE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC MEDIA FOR THE
44 PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

45 2. DOES NOT INCLUDE THE USE OF AN AUDIO-ONLY TELEPHONE, A FACSIMILE
46 MACHINE OR ELECTRONIC MAIL.

Sec. 3. Title 20, chapter 6, article 4, Arizona Revised Statutes, is amended by adding section 20-1376.05, to read:

20-1376.05. Telemedicine: coverage of health care services: definition

A. ALL POLICIES, CONTRACTS AND CERTIFICATES EXECUTED, DELIVERED, ISSUED FOR DELIVERY, CONTINUED OR RENEWED BY A DISABILITY INSURER ON OR AFTER JANUARY 1, 2014 MUST PROVIDE COVERAGE FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH TELEMEDICINE IF THE HEALTH CARE SERVICE WOULD BE COVERED WERE IT PROVIDED THROUGH IN-PERSON CONSULTATION BETWEEN THE INSURED AND A HEALTH CARE PROVIDER. THE POLICY, CONTRACT OR CERTIFICATE MAY LIMIT THE COVERAGE TO THOSE HEALTH CARE PROVIDERS IN A TELEMEDICINE NETWORK THAT ARE APPROVED BY THE DISABILITY INSURER.

B. THIS SECTION DOES NOT PREVENT A DISABILITY INSURER FROM IMPOSING DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH CARE SERVICE PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR COINSURANCE DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

C. FOR THE PURPOSES OF THIS SECTION, "TELEMEDICINE":

1. MEANS THE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

2. DOES NOT INCLUDE THE USE OF AN AUDIO-ONLY TELEPHONE, A FACSIMILE MACHINE OR ELECTRONIC MAIL.

Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes, is amended by adding section 20-1406.05. to read:

20-1406.05. Telemedicine; coverage of health care services; definition

A. ALL POLICIES, CONTRACTS AND CERTIFICATES EXECUTED, DELIVERED, ISSUED FOR DELIVERY, CONTINUED OR RENEWED BY A GROUP DISABILITY INSURER OR A BLANKET DISABILITY INSURER ON OR AFTER JANUARY 1, 2014 MUST PROVIDE COVERAGE FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH TELEMEDICINE IF THE HEALTH CARE SERVICE WOULD BE COVERED WERE IT PROVIDED THROUGH IN-PERSON CONSULTATION BETWEEN THE INSURED AND A HEALTH CARE PROVIDER. THE POLICY, CONTRACT OR CERTIFICATE MAY LIMIT THE COVERAGE TO THOSE HEALTH CARE PROVIDERS IN A TELEMEDICINE NETWORK THAT ARE APPROVED BY THE GROUP DISABILITY INSURER OR THE BLANKET DISABILITY INSURER.

B. THIS SECTION DOES NOT PREVENT A GROUP OR BLANKET DISABILITY INSURER FROM IMPOSING DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH CARE SERVICE PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR COINSURANCE DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

C. FOR THE PURPOSES OF THIS SECTION, "TELEMEDICINE":

1. MEANS THE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

2. DOES NOT INCLUDE THE USE OF AN AUDIO-ONLY TELEPHONE, A FACSIMILE MACHINE OR ELECTRONIC MAIL.