CHAPTER 70

SENATE BILL 1353

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

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

20-841.09. Telemedicine; coverage of health care services; definitions

A. All contracts issued, delivered or renewed on or after January 1, 2015 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 subscriber and a health care provider and provided to a subscriber receiving the service in a rural region of this state. The contract may limit the coverage to those health care providers who are members of the corporation’s provider network.

B. This section does not prevent a corporation 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. Services provided through telemedicine or resulting from a telemedicine consultation shall comply with Arizona licensure requirements, accreditation standards and any practice guidelines of a national association of medical professionals promoting access to medical care for consumers via telecommunications technology or other qualified medical professional societies to ensure quality of care.

D. This section does not apply to limited benefit coverage as defined in section 20-1137.

E. For the purposes of this section:

1. “Health care services” means services provided for the following conditions or in the following settings:
   (a) Trauma.
   (b) Burn.
   (c) Cardiology.
   (d) Infectious Diseases.
   (e) Mental Health Disorders.
   (f) Neurologic Diseases Including Strokes.
   (g) Dermatology.

2. “Rural region” means either:
   (a) An area that is located in a county with a population of less than nine hundred thousand persons.
   (b) A city or town that is located in a county with a population of nine hundred thousand persons or more and whose nearest boundary is more than thirty miles from the boundary of a city that has a population of five hundred thousand persons or more.

3. “Telemedicine”:
   (a) Means the interactive use of audio, video or other electronic media for the purpose of diagnosis, consultation or treatment.
Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes, is amended by adding section 20-1057.13, to read:

**20-1057.13.** Telemedicine; coverage of health care services; definitions

A. An evidence of coverage issued, delivered or renewed by a health care services organization on or after January 1, 2015 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 enrollee and a health care provider and provided to an enrollee receiving the service in a rural region of this state. The evidence of coverage may limit the coverage to those health care providers who are members of the health care services organization’s provider network.

B. This section does not prevent a health care services organization 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. Services provided through telemedicine or resulting from a telemedicine consultation shall comply with Arizona licensure requirements, accreditation standards and any practice guidelines of a national association of medical professionals promoting access to medical care for consumers via telecommunications technology or other qualified medical professional societies to ensure quality of care.

D. This section does not apply to limited benefit coverage as defined in section 20-1137.

E. For the purposes of this section:

1. "Health care services" means services provided for the following conditions or in the following settings:
   (a) Trauma.
   (b) Burn.
   (c) Cardiology.
   (d) Infectious Diseases.
   (e) Mental Health Disorders.
   (f) Neurologic Diseases including Strokes.
   (g) Dermatology.

2. "Rural region" means either:
   (a) An area that is located in a county with a population of less than nine hundred thousand persons.
   (b) A city or town that is located in a county with a population of nine hundred thousand persons or more and whose nearest boundary is more than thirty miles from the boundary of a city that has a population of five hundred thousand persons or more.
3. "TELEMEDICINE":
   (a) MEANS THE INTERACTIVE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC
       MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.
   (b) DOES NOT INCLUDE THE SOLE USE OF AN AUDIO-ONLY TELEPHONE, A
       VIDEO-ONLY SYSTEM, A FACSIMILE MACHINE, INSTANT MESSAGES 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;
definitions

A. ALL POLICIES ISSUED, DELIVERED OR RENEWED BY A DISABILITY INSURER
ON OR AFTER JANUARY 1, 2015 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 AND PROVIDED TO AN INSURED RECEIVING THE SERVICE
IN A RURAL REGION OF THIS STATE. THE POLICY MAY LIMIT THE COVERAGE TO THOSE
HEALTH CARE PROVIDERS WHO ARE MEMBERS OF THE DISABILITY INSURER’S PROVIDER
NETWORK.

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. SERVICES PROVIDED THROUGH TELEMEDICINE OR RESULTING FROM A
TELEMEDICINE CONSULTATION SHALL COMPLY WITH ARIZONA LICENSURE REQUIREMENTS,
ACCREDITATION STANDARDS AND ANY PRACTICE GUIDELINES OF A NATIONAL ASSOCIATION
OF MEDICAL PROFESSIONALS PROMOTING ACCESS TO MEDICAL CARE FOR CONSUMERS VIA
TELECOMMUNICATIONS TECHNOLOGY OR OTHER QUALIFIED MEDICAL PROFESSIONAL
SOCIETIES TO ENSURE QUALITY OF CARE.

D. THIS SECTION DOES NOT APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED
IN SECTION 20-1137.

E. FOR THE PURPOSES OF THIS SECTION:
   1. "HEALTH CARE SERVICES” MEANS SERVICES PROVIDED FOR THE FOLLOWING
      CONDITIONS OR IN THE FOLLOWING SETTINGS:
      (a) TRAUMA.
      (b) BURN.
      (c) CARDIOLOGY.
      (d) INFECTIOUS DISEASES.
      (e) MENTAL HEALTH DISORDERS.
      (f) NEUROLOGIC DISEASES INCLUDING STROKES.
      (g) DERMATOLOGY.
   2. "RURAL REGION” MEANS EITHER:
      (a) AN AREA THAT IS LOCATED IN A COUNTY WITH A POPULATION OF LESS THAN
      NINE HUNDRED THOUSAND PERSONS.
      (b) A CITY OR TOWN THAT IS LOCATED IN A COUNTY WITH A POPULATION OF
      NINE HUNDRED THOUSAND PERSONS OR MORE AND WHOSE NEAREST BOUNDARY IS MORE THAN
THIRTY MILES FROM THE BOUNDARY OF A CITY THAT HAS A POPULATION OF FIVE
HUNDRED THOUSAND PERSONS OR MORE.

3. "TELEMEDICINE":
   (a) MEANS THE INTERACTIVE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC
       MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.
   (b) DOES NOT INCLUDE THE SOLE USE OF AN AUDIO-ONLY TELEPHONE, A
       VIDEO-ONLY SYSTEM, A FACSIMILE MACHINE, INSTANT MESSAGES 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;
definitions

A. ALL POLICIES ISSUED, DELIVERED OR RENEWED BY A GROUP DISABILITY
INSURER OR A BLANKET DISABILITY INSURER ON OR AFTER JANUARY 1, 2015 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
AND PROVIDED TO AN INSURED RECEIVING THE SERVICE IN A RURAL REGION OF THIS
STATE. THE POLICY MAY LIMIT THE COVERAGE TO THOSE HEALTH CARE PROVIDERS WHO
ARE MEMBERS OF THE INSURER’S PROVIDER NETWORK.

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. SERVICES PROVIDED THROUGH TELEMEDICINE OR RESULTING FROM A
TELEMEDICINE CONSULTATION SHALL COMPLY WITH ARIZONA LICENSURE REQUIREMENTS,
ACCREDITATION STANDARDS AND ANY PRACTICE GUIDELINES OF A NATIONAL ASSOCIATION
OF MEDICAL PROFESSIONALS PROMOTING ACCESS TO MEDICAL CARE FOR CONSUMERS VIA
TELECOMMUNICATIONS TECHNOLOGY OR OTHER QUALIFIED MEDICAL PROFESSIONAL
SOCIETIES TO ENSURE QUALITY OF CARE.

D. THIS SECTION DOES NOT APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED
IN SECTION 20-1137.

E. FOR THE PURPOSES OF THIS SECTION:
   1. "HEALTH CARE SERVICES" MEANS SERVICES PROVIDED FOR THE FOLLOWING
CONDITIONS OR IN THE FOLLOWING SETTINGS:
      (a) TRAUMA.
      (b) BURN.
      (c) CARDIOLOGY.
      (d) INFECTIOUS DISEASES.
      (e) MENTAL HEALTH DISORDERS.
      (f) NEUROLOGIC DISEASES INCLUDING STROKES.
      (g) DERMATOLOGY.
   2. "RURAL REGION" MEANS EITHER:
      (a) AN AREA THAT IS LOCATED IN A COUNTY WITH A POPULATION OF LESS THAN
NINE HUNDRED THOUSAND PERSONS.
(b) A city or town that is located in a county with a population of nine hundred thousand persons or more and whose nearest boundary is more than thirty miles from the boundary of a city that has a population of five hundred thousand persons or more.

3. "Telemedicine":
   (a) means the interactive use of audio, video or other electronic media for the purpose of diagnosis, consultation or treatment.
   (b) does not include the sole use of an audio-only telephone, a video-only system, a facsimile machine, instant messages or electronic mail.

Approved by the governor April 5, 2013.

Filed in the office of the secretary of state April 5, 2013.