

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 111**  
**SENATE BILL 1089**

AN ACT

AMENDING SECTIONS 20-841.09, 20-1057.13, 20-1376.05 AND 20-1406.05,  
ARIZONA REVISED STATUTES; 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. Section 20-841.09, Arizona Revised Statutes, is amended  
3 to read:

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

6 A. All contracts issued, delivered or renewed on or after  
7 January 1, 2018 must provide coverage for health care services that are  
8 provided through telemedicine if the health care service would be covered  
9 were it provided through in-person consultation between the subscriber and  
10 a health care provider and provided to a subscriber receiving the service  
11 in this state. **A CORPORATION MAY NOT LIMIT OR DENY THE COVERAGE OF HEALTH  
12 CARE SERVICES PROVIDED THROUGH TELEMEDICINE AND MAY APPLY ONLY THE SAME  
13 LIMITS OR EXCLUSIONS ON A HEALTH CARE SERVICE PROVIDED THROUGH  
14 TELEMEDICINE THAT ARE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME  
15 HEALTH CARE SERVICE.** The contract may limit the coverage to those health  
16 care providers who are members of the corporation's provider network.

17 B. This section does not prevent a corporation from imposing  
18 deductibles, copayment or coinsurance requirements for a health care  
19 service provided through telemedicine if the deductible, copayment or  
20 coinsurance does not exceed the deductible, copayment or coinsurance  
21 applicable to an in-person consultation for the same health care service.

22 C. Services provided through telemedicine or resulting from a  
23 telemedicine consultation **ARE SUBJECT TO ALL OF THIS STATE'S LAWS AND  
24 RULES THAT GOVERN PRESCRIBING, DISPENSING AND ADMINISTERING PRESCRIPTION  
25 PHARMACEUTICALS AND DEVICES AND** shall comply with Arizona licensure  
26 requirements, ~~accreditation standards~~ and any practice guidelines of a  
27 national association of medical professionals promoting access to medical  
28 care for consumers via telecommunications technology or other qualified  
29 medical professional societies to ensure quality of care.

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

32 E. For the purposes of this section, ~~—~~

33 ~~1. "Health care services" means services provided for the following~~  
34 ~~conditions or in the following settings:~~

35 ~~(a) Trauma.~~

36 ~~(b) Burn.~~

37 ~~(c) Cardiology.~~

38 ~~(d) Infectious diseases.~~

39 ~~(e) Mental health disorders.~~

40 ~~(f) Neurologic diseases including strokes.~~

41 ~~(g) Dermatology.~~

42 ~~(h) Pulmonology.~~

43 ~~(i) Beginning January 1, 2020, urology.~~

44 ~~(j) Beginning January 1, 2019, pain medicine.~~

45 ~~(k) Beginning January 1, 2019, substance abuse.~~

1 ~~2.~~ "telemedicine":

2 ~~(a)~~ 1. Means the interactive use of audio, video or other  
3 electronic media, **INCLUDING ASYNCHRONOUS STORE-AND-FORWARD TECHNOLOGIES**  
4 **AND REMOTE PATIENT MONITORING TECHNOLOGIES**, for the purpose of diagnosis,  
5 consultation or treatment.

6 ~~(b)~~ 2. Does not include the sole use of an audio-only telephone, a  
7 video-only system, a facsimile machine, instant messages or electronic  
8 mail.

9 Sec. 2. Section 20-1057.13, Arizona Revised Statutes, is amended to  
10 read:

11 **20-1057.13. Telemedicine; coverage of health care services;**  
12 **definition**

13 A. An evidence of coverage issued, delivered or renewed by a health  
14 care services organization on or after January 1, 2018 must provide  
15 coverage for health care services that are provided through telemedicine  
16 if the health care service would be covered were it provided through  
17 in-person consultation between the enrollee and a health care provider and  
18 provided to an enrollee receiving the service in this state. **A HEALTH**  
19 **CARE SERVICES ORGANIZATION MAY NOT LIMIT OR DENY THE COVERAGE OF HEALTH**  
20 **CARE SERVICES PROVIDED THROUGH TELEMEDICINE AND MAY APPLY ONLY THE SAME**  
21 **LIMITS OR EXCLUSIONS ON A HEALTH CARE SERVICE PROVIDED THROUGH**  
22 **TELEMEDICINE THAT ARE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME**  
23 **HEALTH CARE SERVICE.** The evidence of coverage may limit the coverage to  
24 those health care providers who are members of the health care services  
25 organization's provider network.

26 B. This section does not prevent a health care services  
27 organization from imposing deductibles, copayment or coinsurance  
28 requirements for a health care service provided through telemedicine if  
29 the deductible, copayment or coinsurance does not exceed the deductible,  
30 copayment or coinsurance applicable to an in-person consultation for the  
31 same health care service.

32 C. Services provided through telemedicine or resulting from a  
33 telemedicine consultation **ARE SUBJECT TO ALL OF THIS STATE'S LAWS AND**  
34 **RULES THAT GOVERN PRESCRIBING, DISPENSING AND ADMINISTERING PRESCRIPTION**  
35 **PHARMACEUTICALS AND DEVICES AND** shall comply with Arizona licensure  
36 requirements, ~~accreditation standards~~ and any practice guidelines of a  
37 national association of medical professionals promoting access to medical  
38 care for consumers via telecommunications technology or other qualified  
39 medical professional societies to ensure quality of care.

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

42 E. For the purposes of this section, ~~—~~

43 ~~1. "Health care services" means services provided for the following~~  
44 ~~conditions or in the following settings:~~

- 1 ~~(a) Trauma.~~
- 2 ~~(b) Burn.~~
- 3 ~~(c) Cardiology.~~
- 4 ~~(d) Infectious diseases.~~
- 5 ~~(e) Mental health disorders.~~
- 6 ~~(f) Neurologic diseases including strokes.~~
- 7 ~~(g) Dermatology.~~
- 8 ~~(h) Pulmonology.~~
- 9 ~~(i) Beginning January 1, 2020, urology.~~
- 10 ~~(j) Beginning January 1, 2019, pain medicine.~~
- 11 ~~(k) Beginning January 1, 2019, substance abuse.~~

12 ~~2.~~ "telemedicine":

13 ~~(a)~~ 1. Means the interactive use of audio, video or other  
14 electronic media, INCLUDING ASYNCHRONOUS STORE-AND-FORWARD TECHNOLOGIES  
15 AND REMOTE PATIENT MONITORING TECHNOLOGIES, for the purpose of diagnosis,  
16 consultation or treatment.

17 ~~(b)~~ 2. Does not include the sole use of an audio-only telephone, a  
18 video-only system, a facsimile machine, instant messages or electronic  
19 mail.

20 Sec. 3. Section 20-1376.05, Arizona Revised Statutes, is amended to  
21 read:

22 20-1376.05. Telemedicine; coverage of health care services;  
23 definition

24 A. All policies issued, delivered or renewed by a disability  
25 insurer on or after January 1, 2018 must provide coverage for health care  
26 services that are provided through telemedicine if the health care service  
27 would be covered were it provided through in-person consultation between  
28 the insured and a health care provider and provided to an insured  
29 receiving the service in this state. A DISABILITY INSURER MAY NOT LIMIT  
30 OR DENY THE COVERAGE OF HEALTH CARE SERVICES PROVIDED THROUGH TELEMEDICINE  
31 AND MAY APPLY ONLY THE SAME LIMITS OR EXCLUSIONS ON A HEALTH CARE SERVICE  
32 PROVIDED THROUGH TELEMEDICINE THAT ARE APPLICABLE TO AN IN-PERSON  
33 CONSULTATION FOR THE SAME HEALTH CARE SERVICE. The policy may limit the  
34 coverage to those health care providers who are members of the disability  
35 insurer's provider network.

36 B. This section does not prevent a disability insurer from imposing  
37 deductibles, copayment or coinsurance requirements for a health care  
38 service provided through telemedicine if the deductible, copayment or  
39 coinsurance does not exceed the deductible, copayment or coinsurance  
40 applicable to an in-person consultation for the same health care service.

41 C. Services provided through telemedicine or resulting from a  
42 telemedicine consultation ARE SUBJECT TO ALL OF THIS STATE'S LAWS AND  
43 RULES THAT GOVERN PRESCRIBING, DISPENSING AND ADMINISTERING PRESCRIPTION  
44 PHARMACEUTICALS AND DEVICES AND shall comply with Arizona licensure  
45 requirements, ~~accreditation standards~~ and any practice guidelines of a

1 national association of medical professionals promoting access to medical  
2 care for consumers via telecommunications technology or other qualified  
3 medical professional societies to ensure quality of care.

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

6 E. For the purposes of this section, ~~—~~

7 ~~1. "Health care services" means services provided for the following~~  
8 ~~conditions or in the following settings:~~

9 ~~(a) Trauma.~~

10 ~~(b) Burn.~~

11 ~~(c) Cardiology.~~

12 ~~(d) Infectious diseases.~~

13 ~~(e) Mental health disorders.~~

14 ~~(f) Neurologic diseases including strokes.~~

15 ~~(g) Dermatology.~~

16 ~~(h) Pulmonology.~~

17 ~~(i) Beginning January 1, 2020, urology.~~

18 ~~(j) Beginning January 1, 2019, pain medicine.~~

19 ~~(k) Beginning January 1, 2019, substance abuse.~~

20 ~~2. "telemedicine":~~

21 ~~(a) 1. Means the interactive use of audio, video or other~~  
22 ~~electronic media, INCLUDING ASYNCHRONOUS STORE-AND-FORWARD TECHNOLOGIES~~  
23 ~~AND REMOTE PATIENT MONITORING TECHNOLOGIES, for the purpose of diagnosis,~~  
24 ~~consultation or treatment.~~

25 ~~(b) 2. Does not include the sole use of an audio-only telephone, a~~  
26 ~~video-only system, a facsimile machine, instant messages or electronic~~  
27 ~~mail.~~

28 Sec. 4. Section 20-1406.05, Arizona Revised Statutes, is amended to  
29 read:

30 20-1406.05. Telemedicine; coverage of health care services;  
31 definition

32 A. All policies issued, delivered or renewed by a group disability  
33 insurer or a blanket disability insurer on or after January 1, 2018 must  
34 provide coverage for health care services that are provided through  
35 telemedicine if the health care service would be covered were it provided  
36 through in-person consultation between the insured and a health care  
37 provider and provided to an insured receiving the service in this state.  
38 A BLANKET DISABILITY INSURER MAY NOT LIMIT OR DENY THE COVERAGE OF HEALTH  
39 CARE SERVICES PROVIDED THROUGH TELEMEDICINE AND MAY APPLY ONLY THE SAME  
40 LIMITS OR EXCLUSIONS ON A HEALTH CARE SERVICE PROVIDED THROUGH  
41 TELEMEDICINE THAT ARE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME  
42 HEALTH CARE SERVICE. The policy may limit the coverage to those health  
43 care providers who are members of the insurer's provider network.

44 B. This section does not prevent a group or blanket disability  
45 insurer from imposing deductibles, copayment or coinsurance requirements

1 for a health care service provided through telemedicine if the deductible,  
2 copayment or coinsurance does not exceed the deductible, copayment or  
3 coinsurance applicable to an in-person consultation for the same health  
4 care service.

5 C. Services provided through telemedicine or resulting from a  
6 telemedicine consultation ARE SUBJECT TO ALL OF THIS STATE'S LAWS AND  
7 RULES THAT GOVERN PRESCRIBING, DISPENSING AND ADMINISTERING PRESCRIPTION  
8 PHARMACEUTICALS AND DEVICES AND shall comply with Arizona licensure  
9 requirements, ~~accreditation standards~~ and any practice guidelines of a  
10 national association of medical professionals promoting access to medical  
11 care for consumers via telecommunications technology or other qualified  
12 medical professional societies to ensure quality of care.

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

15 E. For the purposes of this section, ~~---~~

16 ~~1. "Health care services" means services provided for the following~~  
17 ~~conditions or in the following settings:~~

18 ~~(a) Trauma.~~

19 ~~(b) Burn.~~

20 ~~(c) Cardiology.~~

21 ~~(d) Infectious diseases.~~

22 ~~(e) Mental health disorders.~~

23 ~~(f) Neurologic diseases including strokes.~~

24 ~~(g) Dermatology.~~

25 ~~(h) Pulmonology.~~

26 ~~(i) Beginning January 1, 2020, urology.~~

27 ~~(j) Beginning January 1, 2019, pain medicine.~~

28 ~~(k) Beginning January 1, 2019, substance abuse.~~

29 ~~2. "telemedicine":~~

30 ~~(a) 1. Means the interactive use of audio, video or other~~  
31 ~~electronic media, INCLUDING ASYNCHRONOUS STORE-AND-FORWARD TECHNOLOGIES~~  
32 ~~AND REMOTE PATIENT MONITORING TECHNOLOGIES, for the purpose of diagnosis,~~  
33 ~~consultation or treatment.~~

34 ~~(b) 2. Does not include the sole use of an audio-only telephone, a~~  
35 ~~video-only system, a facsimile machine, instant messages or electronic~~  
36 ~~mail.~~

37 Sec. 5. Effective date

38 This act is effective from and after December 31, 2020.

APPROVED BY THE GOVERNOR APRIL 18, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2019.