

TexLa Legislative/Regulatory February 2015 Update

Please Note: CCHP has a pending legislation/regulation webpage located at the following link: <http://cchpca.org/state-laws-and-reimbursement-policies>

LEGISLATION

Pending Legislation

State	Bill Number	Status	Summary
Texas	HB 550	3/2/15: Scheduled for public hearing	This bill would clarify certain statutory provisions related to telehealth and telemedicine reimbursement under the TX Medicaid program. Similar to SB 219.
Texas	HB 661	2/19/15: Introduced and referred to House Committee on Public Health	This bill would adopt the Federation of State Medical Board's Interstate Medical Licensure Compact. Similar to SB 190.
Texas	HB 1475	2/16/15: Introduced	Relates to telecommunications service discounts for educational institutions, libraries, hospitals, and telemedicine centers.
Texas	SB 190	1/27/15: Introduced and referred to Health and Human Services	This bill would adopt the Interstate Medical Licensure Compact developed by the Federation of State Medical Boards. (Similar to HB 661)
Texas	SB 219	2/25/15: Left pending in Senate Committee on	This bill would clarify certain statutory provisions related to telehealth and telemedicine reimbursement under the TX Medicaid program. (Similar to HB 550.)

		Health and Human Services	
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REGULATION

Pending Regulation

State	Lexis Ref. #	Status	Summary
Louisiana	LAC 46:XLV.405 and Ch. 75	10/20/14: Proposed rule. Comment Deadline: 11/19/14	Title: Telemedicine Permit Qualifications and Procedures Agency: Department of Health and Hospitals/Board of Medical Examiners Amends rules regarding the use of telemedicine, the need and requirement for obtaining a telemedicine permit, and the requirements and limitations on the prescription of controlled substances by telemedicine.
Louisiana	LAC 46:XLV.7507, 7509, and 7513	2/26/15: Public Hearing	Title: Physician Practice; Telemedicine Board of Medical Examiners This regulation would revise practice standards when delivering services through telemedicine.
Texas	37 TAC 11.380.9103, et al	10/3/14: Proposed Comment Deadline: 11/16/14	Title: Health Care Services Agency: Juvenile Justice Department Provides for rules concerning health care services in the Texas Juvenile Justice Department, including how telemedicine can be used.
Texas	Rule 174	Proposed	Agency: TX Medical Board This rule would expand the definition of an <i>Established Medical Site</i> to the home for mental health services, and for medical services if a patient site presenter is present, a physician-patient relationship exists and there is sufficient technology for an adequate real time physical exam. An online questionnaire through email, electronic text, chat or telephonic evaluation would not be considered adequate.

Adopted

State	Lexis Ref. #	Status	Summary
Texas	22 TAC 7.141.30	1/2/15: Adopted Effective; 1/22/15	Title: The licensing and regulation of fitters and dispensers Agency: Committee of Examiners in the Fitting and Dispensing of Hearing Instruments This rule establishes requirements for the fitting and dispensing of hearing instruments by telepractice for the Board of Examiners for Speech-Language Pathology and Audiology.
Texas	4TAC 1.30.B.30.240-.244	12/12/14: Adopted Effective: 1/1/15	Title: Rural Communities Health Care Investment Program Agency: Department of Agriculture This rule establishes the Investment Program, which (among other things) encourages the use of telemedicine and telecommunications as appropriate.
Texas	TAC, Title 22, 9.190.B.190.8	1/16/15: Emergency Rule Adopted Effective: 1/16/15 Expires: 5/20/15	Title: Disciplinary Guidelines Agency: TX Medical Board This rule amends the state's definition of the physician-patient relationship (needed to prescribe any dangerous drug or controlled substance) to require either an in-person exam or the patient to be located at an <i>Established Medical Site</i> .