

TexLa Legislative/Regulatory February 2017 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	Description
Texas	HB 1697	2/9/17: Introduced	Relates to the establishment of pediatric health electronic access in a rural State grant program.
Texas	HB 2123	2/20/17: Introduced	Relates to the reimbursement of certain providers under the Medicaid program for the provision of telehealth services.
Texas	HB 709	2/20/17: Referred to House Human Services Committee Sponsor: Rep. Wu	Requires the board of regents of The Texas A&M University System to designate a department or entity at Texas A&M University to conduct a study on services for children and families available to be provided in rural counties to children in the managing conservatorship of the department and to the parents of those children. The study must (among other components) propose actions the commission and department can take to address any shortage in the provision of services for children and families to children and parents in rural counties, including the provision of services through telemedicine medical services and telehealth services in rural counties (among other elements).
Texas	HCR 44	2/21/17: Referred to House State and Federal Power and Responsibility Committee Sponsor: Metcalf	Urges Congress to pass S. 2869, which includes provisions allowing access to walk-in clinics without preauthorization or copayment, the expansion of VA pharmacy hours and telemedicine, and extending the Veterans Choice Card program to permit all qualified veterans to see the doctor of their choice; moreover, the bill encourages best-practices peer review for VA facilities; the act would broaden access to timely health care while offering greater choice and flexibility to every eligible veteran.

Texas	SB 1107	3/1/17: Referred to Senate Committee on Health and Human Services	Provides for definitions of telehealth and telemedicine and defines a practitioner-patient relationship for telemedicine medical services
Texas	SB 922	2/15/17: Introduced	Relates to the reimbursement of certain providers under the Medicaid program for the provision of telehealth services.

REGULATION

Pending Regulation

State	Reg. Citation	Status	Summary
Texas	1 TAC 15.324.A.354.1432	12/12/16: Proposed Comment Deadline: 1/22/17	Title: Advanced Telecommunications Services Agency: Health and Human Services Commission Establishes rules to clarify that a patient must receive an initial evaluation by a physician or other qualified healthcare professional prior to receiving telehealth services, with the exception of services to treat a mental health diagnosis or condition, to further require that a patient receive an annual follow-up evaluation by a physician or other qualified healthcare professional for continued receipt of telehealth services, again with the exception of services to treat a mental health diagnosis or condition and to permit the evaluating physician or other qualified healthcare professional to conduct the evaluation in person or through a telemedicine.
Texas	1 TAC 15.355.G.355.7001	12/12/16: Proposed Comment Deadline: 1/22/17	Title: Reimbursement Rates Agency: Health and Human Services Commission Amends rules regarding Reimbursement Methodology for Telemedicine, Telehealth, and Home Telemonitoring Services, Physicians and Other Practitioners, Licensed Professional Counselors, Licensed Master Social Worker-Advanced Clinical Practitioners, and Licensed Marriage and Family Therapists.

Adopted Rules

State	Reg. Citation	Status	Summary
Louisiana	LAC 46:XLV.408 and Ch. 75	2/20/17: Rule Adopted Effective: 2/20/17	Title: Physician Licensure and Practice and Telemedicine Agency: Board of Medical Examiners Amends rules to remove the requirement that a physician practicing medicine by telemedicine maintain a physical practice location in Texas or have an arrangement with a physician who does and authorize the use of telemedicine by interactive audio, without the need for video, provided certain conditions are satisfied.
Texas	16 TAC 4.145.O.145.211-.216 & 16 TAC 4.145.P.145.231-.233	2/7/17: Adopted Effective: 3/1/17	Title: Rules of Hearing Instruments by Telepractice Agency: Department of Licensing and Regulation Proposes to repeal rule governing telepractice for speech language pathologists and audiologists.