

TexLa Legislative/Regulatory May 2016 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
Louisiana	HB 480	5/17/16: To Governor	This bill would provide conditions and authorizations relative to the practice of telemedicine in licensed healthcare facilities; and to provide for related matters.
Louisiana	HB 570	5/26/16: In House. Scheduled for floor debate on 06/01/2016.	This bill would repeal the requirement that a physician practicing telemedicine maintain an office within the state; amends the definition of a "synchronous interaction"; and requires that any rules and regulations be consistent and no more restrictive to the telehealth provisions within the law.
Louisiana	HB 595	5/30/16: Passed Senate	This bill would authorize the use of telehealth technology to provide nutrition services.
Louisiana	SB 193	3/14/16: Introduced	This bill provides for network adequacy requirements. It requires a health insurance issuer's access plan to list the health issuer's network, including how the use of telemedicine or telehealth or other technology may be used to meet network access standards, if applicable.
Louisiana	SB 236	5/25/16: To Governor	Relates to admissions by emergency certificate of persons suffering from mental illness and substance abuse; provides for examinations by telemedicine under certain provisions; provides that when a patient is transferred from another parish pursuant to an emergency certificate, a second physician's emergency certificate shall be executed by a physician at the admitting facility.

Louisiana	SB 328	5/17/16: Read by title, returned to the calendar	This bill would amend physician practice requirements involving telemedicine and telehealth and amends the definition of a “synchronous interaction”.
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REGULATION

Pending Regulation

State	Reg. Citation	Status	Summary
Texas	16 TAC 4.111.X.111.230-.232	12/28/15: Proposed rule Comment Deadline: 2/7/16	Proposed rules on the requirements for the fitting and dispensing of hearing instruments through the use of telehealth by Speech-Language Pathologists and Audiologists. Among other items, the proposed rule provides definitions and requirements to providing the services.
Texas	16 TAC 4.111.V.111.210-.215	12/28/15: Proposed rule Comment Deadline: 2/7/16	Proposed rules for speech-language pathologists and audiologists on the use of telehealth to deliver services.
Texas	16 TAC 4.112P.112.150	12/28/15: Proposed rule Comment Deadline: 2/7/16	Proposed rules on the requirements for the fitting and dispensing of hearing instruments through the use of telehealth by Speech-Language Pathologists and Audiologists. Among other items, the proposed rule provides definitions and requirements to providing the services.
Texas	40 TAC 12.373.1, .3	3/7/16: Proposed Comment Deadline: 4/17/16	Agency: Board of Occupational Therapy Examiners Title: Telehealth Supervision This bill amends rules pertaining to Occupational Therapists regarding supervisory requirements when telehealth is used.
Texas	40 TAC 12.362.1	3/7/16: Proposed	Agency: Board of Occupational Therapy Examiners Adds a new definition of telehealth for the practice of occupational therapy.

		Comment Deadline: 4/17/16	
Texas	40 TAC 12.362.1	3/7/16: Proposed Comment Deadline: 4/17/16	Title: Provision of Services Agency: Board of Occupational Therapy Examiners This amendment includes clarifications regarding the provision of services and would add telehealth as a mode of occupational therapy service delivery. The amendment would add language specifying that the occupational therapist is responsible for determining whether any aspect of the provision of services may be conducted via telehealth or must be conducted in person. The amendment would also add the provision that the initial evaluation for a medical condition must be conducted in person and may not be conducted via telehealth. The amendment would add language allowing for the evaluation for a non-medical condition and for the intervention for a medical or non-medical condition to be provided via telehealth.
Texas	1 TAC 15.351.B.351.801, .803, .805, .807, .809, .811, .813, .815, .817, .819, .821, .823, .825, .827, .829, .831, .833, .835, .837	4/4/16: Proposed rule Comment Deadline: 5/15/16	Title: Advisory Committees Agency: Health and Human Services Commission This rule would create the e-Health Advisory Committee.

Adopted Regulation

State	Reg. Citation	Status	Summary
Texas	1 TAC 15.354.A.354.1432	4/4/16: Adopted Rule Effective: 5/15/16	Agency: Health and Human Services Commission The proposed rules updates the Medicaid rule for telemedicine services to reflect additional requirements that were outlined in a previous session's bill (HB 1878) that physicians will be reimbursed for telehealth services provided in a school-based setting.