

TexLa Legislative/Regulatory May 2018 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

State	Bill #	Status	Summary
Louisiana	HB 339	3/27/18: Withdrawn from further consideration	Provides relative to the practice of telemedicine.
Louisiana	HCR 67	4/25/18: To House Committee on Health and Welfare	Continues and provides with respect to the Task Force on Telehealth Access.

REGULATION

Pending Regulation

State	Reg. Citation	Status	Summary
Louisiana	LAC 46:LIV.Ch. 1-5	4/20/18: Proposed rule Comment Deadline: 5/10/18	Title: Licensing and Credentialing Agency: Physical Therapy Board This rule would promulgate rules related to the use of telehealth by physical therapists.
Texas	28 TAC 2.129.129.5	4/9/18: Proposed Comment Deadline: 5/21/18	Title: Work Status Reports Agency: Division of Workers' Compensation Amends rule concerning Work Status Reports. Allows work status reports to be provided to an injured worker electronically via telemedicine.

Adopted Rules

State	Reg. Citation	Status	Summary
Texas	22 TAC 9.178.178.3	2/2/18: Adopted Rule Notice Effective: 2/22/18	Title: Complaint Procedure Notification Agency: Medical Board Amends rules relating to notification statements for the complaint procedure and adds language allowing telemedicine providers to provide the Board approved complaint notification statement through: a prominently displayed link on a website, in a provider app; by recording, or in a bill for service.
Texas	40 TAC 12.362.362.1	2/5/18: Adopted Rule Notice Effective: 3/1/18	Title: Definitions Agency: Board of Occupational Therapy Examiners Amends the Board's definition of telehealth.
Texas	1 TAC 15.355	9/19/17: Adopted rule Notice Effective: 12/1/2017	Title: Reimbursement Rates Agency: Health and Human Services Commission Amends rules relating to reimbursement for durable medical equipment, prosthetics, orthotics, and supplies, physical, occupational, and speech therapy services, home health services, methodology for customized equipment, telemedicine, telehealth, and home telemonitoring services, methodology for physicians and other practitioners, early and periodic screening, diagnosis, and treatment services and family planning services.
Texas	1 TAC 15.355.G.355.7001	9/19/17: Adopted rule Notice Effective: 12/1/2017	Title: Telecommunication and Community-Based Services Agency: Health and Human Services Commission Amends rules which provides the Executive Commissioner of HHSC with broad rulemaking authority to administer the federal medical assistance (Medicaid) program in Texas and to establish HHSC as the agency responsible for adopting reasonable rules governing the determination of fees, charges, and rates for medical assistance payments under Texas Human Resources Code.
Texas	22 TAC 9.174A.1-8	11/6/17: Adopted Effective: 11/26/17	Title: Telemedicine Agency: Medical Board The Texas Medical Board (Board) proposes amendments concerning Telemedicine.

Texas	40 TAC 12.372	2/5/18: Adopted rule Effective: 3/1/18	Title: Provision of Services Agency: Board of Occupational Therapy Examiners Creates practice standards for telehealth in occupational therapy.
Texas	22 TAC 9.172.C.172.12	3/7/18: Adopted rule Effective: 3/27/18	Title: Limited License Agency: Medical Board Amends provisions of Texas' out-of-state telemedicine license regulation. It removes the requirement that a person must be certified by a member board of the American Board of Medical Specialties or Bureau of Osteopathic specialists, or by the American Board of Oral and Maxillofacial Surgery.
Texas	16 TAC 4.111	4/11/18: Adopted Effective: 5/1/18	Title: General Provisions Agency: Department of Licensing and Regulation Relates to the definition of indirect and in-person supervision, and stipulates whether or not telepractice/telehealth is able to be used.
Texas	16 TAC 4.111.V	4/11/18: Adopted Rule Notice Effective: 5/1/18	Title: Speech-Language Pathologist and Audiologists Program Agency: Department of Licensing and Regulation Amends rules pertaining to Speech-Language Pathologists and Audiologists Program related to telehealth.
Texas	28 TAC 2.133.B	4/16/18: Adopted Effective: 5/6/18	Title: Telemedicine Services Agency: Worker's Compensation Commission Applies telemedicine provisions related to Medicaid to worker's compensation requirements.