

TexLa TRC Legislative/Regulatory May 2014 Update

Please Note: CCHP has a pending legislation/regulation webpage located at the following link:

<http://telehealthpolicy.us/laws/pending/state>

LEGISLATION

Pending Legislation

State	Bill Number	Status	Summary
Louisiana	HB 1003	3/10/14: To House Committee on Health and Welfare	This bill would amend the definition of “telemedicine” to include the use of asynchronous store and forward technology for certain consultations, exempts certain consultations from requiring the presence of a licensed Louisiana health care professional and requires an appropriate examination of a patient, among other things.
Louisiana	HB 1280	4/30/14: Substituted for H. 903.	This bill establishes definitions for telehealth related terms, establishes the standard of care for telehealth providers and stipulates that health plans should not discriminate or prohibit the use of telemedicine or telehealth. It also says that health plans that cover telehealth must provide coverage for both originating and distant site providers if both are necessary.
Louisiana	HB 903	4/30/14: Substituted by H. 1280	This bill defines telehealth services, requires insurance coverage for telehealth services (including the medical assistance program and includes coverage for live video, store and forward and telephone or internet), and creates the Louisiana Commission on Telehealth Access within the Department of Health and Hospitals.
Louisiana	HCR 88	4/30/14: Engrossed	This resolution would create a Task Force on Telehealth Access as an advisory body to the legislature and the Department of Health and Hospitals on policies and practices that expand access to telehealth services, and to direct the task force to report to the governor and the legislature on the status of telehealth access in Louisiana.
Louisiana	SB 185	2/25/14: Prefiled. To Senate Committee on Health and	Present law provides in the case of an emergency certificate issued pursuant to an examination conducted by telemedicine pursuant to present law, a copy transmitted by facsimile or other electronic device shall be sufficient authority for the peace officer or ambulance worker to transport the patient to a treatment facility and for the director to accept such patient.

		Welfare.	Proposed law amends present law to provide in the case of an emergency certificate issued pursuant to an examination conducted by telemedicine pursuant to present law, or where the sending facility fails to provide the original to the transporting agency, a copy transmitted by facsimile or other electronic device shall be sufficient authority for the peace officer or ambulance worker to transport the patient to a treatment facility and for the director to accept such patient. Re-engrossed
Louisiana	SB 501	3/10/14: To House Committee on Health and Welfare	This bill would amend the definition of “telemedicine”, as well as amends present law to require the Louisiana Medical Board to establish requirements for telemedicine licensure by those holding an unrestricted license or permit to practice medicine in Louisiana and for applicants for a telemedicine license under present law.

REGULATION

Pending Regulation

State	Lexis Ref. #	Status	Summary
Texas	25 TAC Sections 415.251 - 415.276	12/20/2013: Proposed Rule 2/2/14: Comment Deadline	Would stipulate that “Face to face” does not include a contact made through the use of video or telecommunication conferencing or technologies, including telemedicine. The chapter applies to state hospitals, and other facilities stipulated in the bill.
Texas	1 TAC 15.355.G.355.7001	3/31/14: Proposed Rule Comment Deadline: 5/11/14	Title: Advanced Telecommunications Services Agency: Health and Human Services Commission This bill slightly changes the reimbursement methodology language for licensed psychologists using telehealth under the state’s Medicaid program.

Approved Regulation

State	Lexis Ref. #	Status	Summary
Texas	22 TAC 172.18	9/16/13: Proposed Rule Commend Deadline: 10/27/13 Adopted 12/31/13 Effective; 1/20/14	Sets forth criteria under which an applicant may qualify for a military limited volunteer license, based on the passage of SB 61 in the 83 rd Regular Session and on the creation of 155.103 of the Texas Occupational Code, which provides a licensing mechanism for active and retired military physicians who do not hold a medical license to provide charitable care in Texas.