

Regular Session, 2008

HOUSE BILL NO. 1265

BY REPRESENTATIVE MARCHAND

INSURANCE/HEALTH: Provides for the reimbursement of certain physicians for diagnostic or consultative services provided via telemedicine

1 AN ACT

2 To amend and reenact R.S. 22:657(F)(1), relative to health insurance; to require
3 reimbursement for diagnostic or consultative services performed by certain
4 physicians via transmitted electronic imaging or telemedicine; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:657(F)(1) is hereby amended and reenacted to read as follows:

8 §657. Payment of claims; health and accident policies; prospective review;
9 penalties; self-insurers; telemedicine reimbursement by insurers

10 * * *

11 F.(1)(a) Notwithstanding any provision of any policy or contract of insurance
12 or health benefits issued after June 16, 1995, whenever such policy provides for
13 payment, benefit, or reimbursement for any health care service, including but not
14 limited to diagnostic testing, treatment, referral, or consultation, and such health care
15 service is performed via transmitted electronic imaging or telemedicine, such a
16 payment, benefit, or reimbursement under such policy or contract shall not be denied
17 to a licensed physician conducting or participating in the transmission at the
18 originating health care facility or terminus who is physically present with the
19 individual who is the subject of such electronic imaging transmission and is
20 contemporaneously communicating and interacting with a licensed physician at the

1 receiving terminus of the transmission. The payment, benefit, or reimbursement to
2 such a licensed physician at the originating facility or terminus shall not be less than
3 seventy-five percent of the reasonable and customary amount of payment, benefit,
4 or reimbursement which that licensed physician receives for an intermediate office
5 visit.

6 (b)(i) Notwithstanding any provision of any policy or contract of insurance
7 or health benefits, including any health maintenance contract or agreement, issued
8 as of January 1, 2009, whenever such policy or contract provides for payment,
9 benefit, or reimbursement for any diagnostic or consultative health care service and
10 such health care service is performed via transmitted electronic imaging or
11 telemedicine, a physician specified in Item (ii) of this Subparagraph who is
12 participating in the transmission at the receiving terminus of the transmission shall
13 be entitled to reimbursement for such service under such policy or contract.

14 (ii) Such a physician shall be licensed to practice medicine in this state or,
15 if licensed to practice medicine in another state, shall not be prohibited from practice
16 in this state, by any of the laws, rules, or regulations governing the practice of
17 medicine in this state.

18 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Marchand

HB No. 1265

Abstract: Requires reimbursement by health insurers for diagnostic or consultative services performed by physicians licensed in this state or another state via electronic imaging or telemedicine.

Present law provides that, notwithstanding any provision of any policy or contract of insurance or health benefits issued after June 16, 1995, whenever such policy provides for payment, benefit, or reimbursement for any health care service, including but not limited to diagnostic testing, treatment, referral, or consultation, and such health care service is performed via transmitted electronic imaging or telemedicine, such a payment, benefit, or reimbursement under such policy or contract shall not be denied to a licensed physician conducting or participating in the transmission at the originating health care facility who is physically present with the individual who is the subject of such electronic imaging transmission and is communicating and interacting with a licensed physician at the receiving

terminus of the transmission. Specifies that the payment, benefit, or reimbursement to a licensed physician at the originating facility or terminus shall not be less than 75% of the reasonable and customary amount of payment, benefit, or reimbursement which that licensed physician receives for an intermediate office visit.

Proposed law additionally provides that, notwithstanding any provision of any policy or contract of insurance or health benefits, including any health maintenance contract or agreement, issued as of Jan. 1, 2009, whenever such policy or contract provides for payment, benefit, or reimbursement for any diagnostic or consultative health care service and such health care service is performed via transmitted electronic imaging or telemedicine, a specified physician who is participating in the transmission at the receiving terminus of the transmission shall be entitled to payment, benefit, or reimbursement for such service under such policy or contract. Specifies that such a physician shall be licensed to practice medicine in this state or if licensed to practice medicine in another state shall not be prohibited from practice in this state by any of the laws, rules, or regulations governing the practice of medicine in this state.

(Amends R.S. 22:657(F)(1))