

SENATE BILL No. 1096

September 30, 2014, Introduced by Senators WARREN and BIEDA and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3476 (MCL 500.3476), as added by 2012 PA 215.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3476. (1) An expense-incurred hospital, medical, or
2 surgical group or individual policy or certificate delivered,
3 issued for delivery, or renewed in this state and a health
4 maintenance organization group or individual contract ~~shall~~**MUST**
5 not require face-to-face contact between a health care professional
6 and a patient for services appropriately provided through
7 telemedicine, as determined by the insurer or health maintenance
8 organization. Telemedicine services ~~shall~~**MUST** be provided by a
9 health care professional who is licensed, registered, or otherwise
10 authorized to engage in his or her health care profession in the
11 state where the patient is located. Telemedicine services are

1 subject to all terms and conditions of the policy, certificate, or
2 contract agreed upon between the policy, certificate, or contract
3 holder and the insurer or health maintenance organization,
4 including, but not limited to, required copayments, coinsurances,
5 deductibles, and approved amounts.

6 (2) As used in this section: ~~,"telemedicine"~~

7 (A) "ASYNCHRONOUS STORE AND FORWARD ACTION" MEANS THE
8 TRANSMISSION OF A PATIENT'S MEDICAL INFORMATION FROM AN ORIGINATING
9 SITE TO A HEALTH CARE PROFESSIONAL AT A DISTANT SITE FOR REVIEW OF
10 THE INFORMATION BY THE PROFESSIONAL AT THE DISTANT SITE WITHOUT A
11 SYNCHRONOUS INTERACTION.

12 (B) "DISTANT SITE" MEANS THE LOCATION OF THE HEALTH CARE
13 PROFESSIONAL WHEN PROVIDING TELEMEDICINE SERVICES TO THE PATIENT.

14 (C) "ORIGINATING SITE" MEANS EITHER OF THE FOLLOWING, AS
15 APPLICABLE:

16 (i) THE LOCATION OF THE PATIENT WHEN RECEIVING TELEMEDICINE
17 SERVICES FROM THE HEALTH CARE PROFESSIONAL.

18 (ii) THE LOCATION WHERE THE ASYNCHRONOUS STORE AND FORWARD
19 ACTION ORIGINATES.

20 (D) "SYNCHRONOUS INTERACTION" MEANS A REAL-TIME INTERACTION
21 BETWEEN A PATIENT RECEIVING TELEMEDICINE SERVICES AT AN ORIGINATING
22 SITE AND A HEALTH CARE PROFESSIONAL DELIVERING TELEMEDICINE
23 SERVICES FROM A DISTANT SITE.

24 (E) "TELEMEDICINE" means the use of ~~an electronic media to~~
25 ~~link patients with health care professionals in different~~
26 ~~locations. To be considered telemedicine under this section, the~~
27 ~~health care professional must be able to examine the patient via a~~

1 ~~real time, interactive audio or video, or both, telecommunications~~
2 ~~system and the patient must be able to interact with the off-site~~
3 ~~health care professional at the time the services are provided.~~

4 INTERACTIVE AUDIO, VIDEO, OR OTHER TELECOMMUNICATIONS TECHNOLOGY BY
5 A HEALTH CARE PROFESSIONAL TO DELIVER HEALTH CARE SERVICES BETWEEN
6 A DISTANT SITE AND AN ORIGINATING SITE FOR DIAGNOSIS AND TREATMENT
7 OF A PATIENT.

8 (F) "TELEMEDICINE SERVICES" MEANS A HEALTH CARE SERVICE
9 PROVIDED THROUGH TELEMEDICINE, INCLUDING A SERVICE PROVIDED THROUGH
10 A SYNCHRONOUS INTERACTION OR ASYNCHRONOUS STORE AND FORWARD ACTION.

11 (3) This section applies to a policy, certificate, or contract
12 issued or renewed on or after January 1, 2013.