

SENATE BILL No. 1059

June 7, 2018, Introduced by Senators WARREN, NOFS and HANSEN 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 amended by 2017 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3476. (1) An insurer that delivers, issues for delivery,
2 or renews in this state a health insurance policy shall not require
3 face-to-face contact between a health care professional and a
4 patient for services appropriately provided through telemedicine. ~~7~~
5 ~~as determined by the insurer.~~ Telemedicine services must be
6 provided by a health care professional who is licensed, registered,
7 or otherwise authorized to engage in his or her health care
8 profession in ~~the~~ **THIS** state. ~~where the patient is located.~~
9 Telemedicine services are subject to all terms and conditions of
10 the health insurance policy agreed ~~upon~~ **ON** between the policy

holder and the insurer, including, but not limited to, required copayments, coinsurances, deductibles, and approved amounts.

TELEMEDICINE SERVICES MAY BE USED TO ESTABLISH A PHYSICIAN-PATIENT RELATIONSHIP.

(2) As used in this section:

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

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

(C) ~~(a)~~ After December 31, 2017, "insurer" includes a nonprofit dental care corporation operating under 1963 PA 125, MCL 550.351 to 550.373.

(D) "ORIGINATING SITE" MEANS EITHER OF THE FOLLOWING, AS APPLICABLE:

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

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

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

(F) ~~(b)~~ "Telemedicine" means ~~the use of an electronic media to link patients with health care professionals in different~~

~~locations. To be considered telemedicine under this section, the health care professional must be able to examine the patient via a real time, interactive audio or video, or both, telecommunications system and the patient must be able to interact with the off site health care professional at the time the services are provided.~~THE

USE OF INTERACTIVE AUDIO-VISUAL OR OTHER TELECOMMUNICATIONS TECHNOLOGY BY A HEALTH CARE PROFESSIONAL TO DELIVER HEALTH CARE SERVICES, INCLUDING PRESCRIPTIONS, BETWEEN A DISTANT SITE AND AN ORIGINATING SITE FOR DIAGNOSIS AND TREATMENT OF A PATIENT.

(G) "TELEMEDICINE SERVICES" MEANS HEALTH CARE SERVICES PROVIDED THROUGH TELEMEDICINE, INCLUDING SERVICES PROVIDED THROUGH A SYNCHRONOUS INTERACTION OR ASYNCHRONOUS STORE AND FORWARD ACTION.