



General Assembly

January Session, 2021

***Raised Bill No. 6472***

LCO No. 3480



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

***AN ACT CONCERNING TELEHEALTH.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2021*) (a) As used in this section, (1)  
2 "commissioner" means the Commissioner of Social Services; (2)  
3 "department" means the Department of Social Services; (3)  
4 "asynchronous", "originating site", "remote patient monitoring", "store  
5 and forward transfer" and "synchronous" have the same meanings as  
6 provided in section 19a-906 of the general statutes; and (4) "telehealth"  
7 means the provision of health care or other health care services via  
8 information and communication technologies to facilitate the diagnosis,  
9 consultation and treatment, education, care management and self-  
10 management of a patient's physical and mental health, and includes, but  
11 is not limited to (A) interaction between the patient at the originating  
12 site and the telehealth provider at a distant site, and (B) synchronous  
13 interactions, asynchronous store and forward transfers or remote  
14 patient monitoring. "Telehealth" does not include the use of a facsimile,  
15 a text messaging device or electronic mail.

16 (b) Notwithstanding the provisions of sections 17b-245c, 17b-245e  
17 and 19a-906 of the general statutes, the commissioner shall provide  
18 coverage under the Medicaid program for telehealth services in  
19 accordance with this section and to the extent permissible under federal  
20 law for a period of two years ending on June 30, 2023. The commissioner  
21 shall provide Medicaid reimbursement for services delivered via  
22 telehealth to the same extent as if the service was delivered in person,  
23 including, but not limited to, audio-only telehealth services when (1)  
24 such services can be delivered in a clinically appropriate manner, as  
25 determined by the commissioner, by means of a telephone, or (2) when  
26 a patient is unable to connect with telehealth providers by video due to  
27 access barriers, including, but not limited to, lack of technology,  
28 equipment or Internet access.

29 (c) The commissioner shall not (1) impose higher patient cost sharing  
30 or more stringent prior authorization standards for telehealth services  
31 than in-person services, (2) limit coverage under the Medicaid program  
32 based on the provider's or patient's location during telehealth services,  
33 (3) prohibit a physician-patient relationship from being established via  
34 a telehealth visit, (4) prohibit a patient from providing consent to  
35 services or procedures verbally during a telehealth visit, or (5) limit  
36 coverage to an existing patient.

37 (d) The commissioner shall require that the transmission, storage and  
38 dissemination of data and records related to telehealth services be in  
39 accordance with federal and state law and regulations concerning the  
40 privacy, security, confidentiality and safeguarding of individually  
41 identifiable information.

42 (e) Not later than February 1, 2023, the commissioner shall submit a  
43 report, in accordance with the provisions of section 11-4a of the general  
44 statutes, to the joint standing committees of the General Assembly  
45 having cognizance of matters relating to human services and public  
46 health on (1) whether the expansion of telehealth services pursuant to  
47 this section has increased access to health care among Medicaid  
48 beneficiaries, (2) regions of the state that have experienced an increase

49 in access due to the expansion of telehealth services, (3) any cost savings  
50 realized by the state for nonemergency transportation or other services  
51 related to the expansion of telehealth services, and (4) recommendations  
52 concerning whether Medicaid beneficiaries would benefit from a  
53 permanent expansion of telehealth services in accordance with this  
54 section.

55 (f) The commissioner may implement policies and procedures as  
56 necessary to carry out the provisions of this section while in the process  
57 of adopting the policies and procedures as regulations, provided notice  
58 of intent to adopt the regulations is published in accordance with the  
59 provisions of section 17b-10 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	New section

**Statement of Purpose:**

To expand telehealth services for Medicaid beneficiaries for a period of two years and study whether the benefits of expanding such services should be made permanent.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*