AN ACT CONCERNING TELEHEALTH.

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

Section 1. (NEW) (Effective July 1, 2021) (a) As used in this section, (1) "commissioner" means the Commissioner of Social Services; (2) "department" means the Department of Social Services; (3) "asynchronous", "originating site", "remote patient monitoring", "store and forward transfer" and "synchronous" have the same meanings as provided in section 19a-906 of the general statutes; and (4) "telehealth" means the provision of health care or other health care services via information and communication technologies to facilitate the diagnosis, consultation and treatment, education, care management and self-management of a patient's physical and mental health, and includes, but is not limited to (A) interaction between the patient at the originating site and the telehealth provider at a distant site, and (B) synchronous interactions, asynchronous store and forward transfers or remote patient monitoring. "Telehealth" does not include the use of a facsimile, a text messaging device or electronic mail.
(b) Notwithstanding the provisions of sections 17b-245c, 17b-245e and 19a-906 of the general statutes, the commissioner shall provide coverage under the Medicaid program for telehealth services in accordance with this section and to the extent permissible under federal law for a period of two years ending on June 30, 2023. The commissioner shall provide Medicaid reimbursement for services delivered via telehealth to the same extent as if the service was delivered in person, including, but not limited to, audio-only telehealth services when (1) such services can be delivered in a clinically appropriate manner, as determined by the commissioner, by means of a telephone, or (2) when a patient is unable to connect with telehealth providers by video due to access barriers, including, but not limited to, lack of technology, equipment or Internet access.

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

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

(e) Not later than February 1, 2023, the commissioner shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and public health on (1) whether the expansion of telehealth services pursuant to this section has increased access to health care among Medicaid beneficiaries, (2) regions of the state that have experienced an increase
in access due to the expansion of telehealth services, (3) any cost savings
realized by the state for nonemergency transportation or other services
related to the expansion of telehealth services, and (4) recommendations
concerning whether Medicaid beneficiaries would benefit from a
permanent expansion of telehealth services in accordance with this
section.

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

This act shall take effect as follows and shall amend the following
sections:

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<tr>
<th>Section 1</th>
<th>July 1, 2021</th>
<th>New section</th>
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**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.]