AN ACT relating to home healthcare telemonitoring services.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Department" means the Department for Medicaid Services;

(b) "Evidence-based best practices" means the integration of the best available research with clinical expertise in the context of patient characteristics and patient and family caregiver preferences;

(c) "Home health agency" has the same meaning as provided in KRS 216.935; and

(d) "Home telemonitoring services" means services that require:

1. Scheduled remote monitoring of data related to a patient's health, including but not limited to monitoring of the patient's blood pressure, heart rate, weight, blood sugar, and oxygen level, performed by a registered nurse licensed pursuant to KRS Chapter 314 or physician licensed pursuant to KRS Chapter 311;

2. Transmission of data to a home health agency licensed pursuant to KRS Chapter 216; and

3. The patient's informed consent to remote monitoring and treatment.

(2) (a) The department shall submit a waiver or waiver amendment for approval to the Centers for Medicare and Medicaid Services in order to provide coverage for medically necessary home telemonitoring services performed by a home health agency for a Medicaid beneficiary with:

1. Serious or chronic documented medical conditions that have resulted in or may result in frequent or recurrent hospitalizations and emergency room admissions;
2. A documented history of poor adherence to ordered medication regimens;

3. A documented history of falls in the six (6) month period prior to evaluation of the need for home telemonitoring services;

4. Limited or absent informal support systems;

5. A documented history of challenges with access to care;

6. A history of living alone or being home alone for extended periods of time; and

7. Documented confirmation by the provider that home or direct-to-patient monitoring serves the needs of the patient.

(3) The department shall establish coverage provisions and reimbursement criteria for home telemonitoring services based on evidence-based best practices.

(4) The department shall ensure that clinical information gathered by a home health agency while providing home telemonitoring services is shared with the patient's treating health care professionals.

(5) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A for the implementation and administration of this section.