



Reprinted
March 22, 2013

ENGROSSED
SENATE BILL No. 554

DIGEST OF SB 554 (Updated March 21, 2013 11:49 am - DI 77)

Citations Affected: IC 12-7; IC 12-15; noncode.

Synopsis: Telehealth and telemedicine services under Medicaid. Requires the office of Medicaid policy and planning to reimburse: (1) a home health agency for telehealth services; and (2) a federally qualified health center, a rural health clinic, a community mental health center, and a critical access hospital for telemedicine services; under the Medicaid program. Requires the health finance commission to study issues concerning extending telehealth and telemedicine services under the Medicaid program.

Effective: July 1, 2013.

Becker, Leising, Breaux,
Miller Patricia, Charbonneau, Grooms,
Hershman, Tallian, Randolph
(HOUSE SPONSORS — BACON, BROWN C, BROWN T, PORTER)

January 14, 2013, read first time and referred to Committee on Health and Provider Services.
February 7, 2013, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
February 21, 2013, reported favorably — Do Pass.
February 25, 2013, read second time, ordered engrossed. Engrossed.
February 26, 2013, read third time, passed. Yeas 50, nays 0.
HOUSE ACTION
March 5, 2013, read first time and referred to Committee on Public Health.
March 18, 2013, amended, reported — Do Pass.
March 21, 2013, read second time, amended, ordered engrossed.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 554

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-190.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2013]: **Sec. 190.3. "Telehealth services", for**
4 **purposes of IC 12-15-5-11, has the meaning set forth in**
5 **IC 12-15-5-11(a).**

6 SECTION 2. IC 12-7-2-190.4 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2013]: **Sec. 190.4. "Telemedicine services",**
9 **for purposes of IC 12-15-5-11, has the meaning set forth in**
10 **IC 12-15-5-11(b).**

11 SECTION 3. IC 12-15-5-11 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2013]: **Sec. 11. (a) As used in this section, "telehealth services"**
14 **means the use of telecommunications and information technology**
15 **to provide access to health assessment, diagnosis, intervention,**
16 **consultation, supervision, and information across a distance.**

17 (b) As used in this section, "telemedicine services" means a

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1 specific method of delivery of services, including medical exams
2 and consultations and behavioral health evaluations and treatment,
3 including those for substance abuse, using videoconferencing
4 equipment to allow a provider to render an examination or other
5 service to a patient at a distant location. The term does not include
6 the use of the following:

- 7 (1) A telephone transmitter for transtelephonic monitoring.
- 8 (2) A telephone or any other means of communication for the
9 consultation from one (1) provider to another provider.

10 (c) The office shall reimburse a Medicaid provider who is
11 licensed as a home health agency under IC 16-27-1 for telehealth
12 services.

13 (d) The office shall reimburse the following Medicaid providers
14 for telemedicine services, regardless of the distance between the
15 provider and the patient, to the extent allowed by the United States
16 Centers for Medicare and Medicaid Services:

- 17 (1) A federally qualified health center (as defined in 42 U.S.C.
18 1396d(l)(2)(B)).
- 19 (2) A rural health clinic (as defined in 42 U.S.C. 1396d(l)(1)).
- 20 (3) A community mental health center certified under
21 IC 12-21-2-3(5)(C).
- 22 (4) A critical access hospital that meets the criteria under 42
23 CFR 485.601 et seq.

24 (e) The office may adopt rules under IC 4-22-2 necessary to
25 implement and administer this section.

26 SECTION 4. [EFFECTIVE JULY 1, 2013] (a) As used in this
27 SECTION, "commission" refers to the health finance commission
28 established by IC 2-5-23-3.

29 (b) The definitions in IC 12-15-5-11, as added by this act, apply
30 to this SECTION.

31 (c) The commission shall study during the 2013 legislative
32 interim issues concerning extending telehealth services and
33 telemedicine services under the Medicaid program.

34 (d) This SECTION expires December 31, 2013.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 554, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 2. IC 12-7-2-190.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 190.4. "Telemedicine services", for purposes of IC 12-15-5-11, has the meaning set forth in IC 12-15-5-11(b).**".

Page 1, line 12, after "(b)" insert "**As used in this section, "telemedicine services" means a specific method of delivery of services, including medical exams and consultations, using videoconferencing equipment to allow a provider to render an examination or other service to a patient at a distant location. The term does not include the use of the following:**

- (1) A telephone transmitter for transtelephonic monitoring.**
- (2) A telephone or any other means of communication for the consultation from one (1) provider to another provider.**

(c)".

Page 1, line 12, delete "the following Medicaid providers" and insert "**a Medicaid provider who is licensed as a home health agency under IC 16-27-1 for telehealth services.**".

Page 1, delete lines 13 through 15, begin a new paragraph and insert:

"(d) The office shall reimburse the following Medicaid providers for telemedicine services:".

Page 1, line 16, delete "(2)" and insert "**(1)**".

Page 2, line 1, delete "(3)" and insert "**(2)**".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 554 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 554, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 554 as printed February 8, 2013.)

KENLEY, Chairperson

Committee Vote: Yeas 12, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 554, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, after "consultations" delete "," and insert "**and behavioral health evaluations and treatment, including those for substance abuse,**".

Page 2, line 13, delete "services:" and insert "**services, regardless of the distance between the provider and the patient:**".

Page 2, between lines 16 and 17, begin a new line block indented and insert:

"(3) A community mental health center certified under IC 12-21-2-3(5)(C).

(4) A critical access hospital that meets the criteria under 42 CFR 485.601 et seq."

Page 2, line 17, delete "(c)" and insert "(e)".

Page 2, after line 18, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2013] (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3.

(b) The definitions in IC 12-15-5-11, as added by this act, apply to this SECTION.

(c) The commission shall study during the 2013 legislative interim issues concerning extending telehealth services and telemedicine services under the Medicaid program for noncritical access hospitals, including private psychiatric hospitals.



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(d) This SECTION expires December 31, 2013."

and when so amended that said bill do pass.

(Reference is to SB 554 as printed February 22, 2013.)

CLERE, Chair

Committee Vote: yeas 12, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 554 be amended to read as follows:

Page 2, line 15, delete "patient:" and insert "**patient, to the extent allowed by the United States Centers for Medicare and Medicaid Services:**".

Page 2, line 32, delete "program for noncritical" and insert "**program.**".

Page 2, delete line 33.

(Reference is to ESB 554 as printed March 19, 2013.)

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