

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 554**

Citations Affected: IC 12-7-2; IC 12-15-5-11.

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, including reimbursement regardless of the distance between the provider and the patient; under the Medicaid program. Requires the health finance commission to study issues concerning extending telehealth and telemedicine services under the Medicaid program. **(This conference committee report: (1) separates the language requiring telemedicine services reimbursement and reimbursement regardless of distance; (2) adds language requiring the office of Medicaid policy and planning to file any Medicaid state plan amendment necessary with the federal government to implement the provision of telehealth and telemedicine services, including eliminating the current distance limitation requirement for telemedicine services; and (3) authorizes the office to implement any part of the section that is approved by the federal government.)**

Effective: July 1, 2013.

Adopted	Rejected
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CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 554 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 12-7-2-190.3 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2013]: **Sec. 190.3. "Telehealth services", for**
- 5 **purposes of IC 12-15-5-11, has the meaning set forth in**
- 6 **IC 12-15-5-11(a).**
- 7 SECTION 2. IC 12-7-2-190.4 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2013]: **Sec. 190.4. "Telemedicine services",**
- 10 **for purposes of IC 12-15-5-11, has the meaning set forth in**
- 11 **IC 12-15-5-11(b).**
- 12 SECTION 3. IC 12-15-5-11 IS ADDED TO THE INDIANA CODE
- 13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 14 1, 2013]: **Sec. 11. (a) As used in this section, "telehealth services"**
- 15 **means the use of telecommunications and information technology**
- 16 **to provide access to health assessment, diagnosis, intervention,**
- 17 **consultation, supervision, and information across a distance.**
- 18 **(b) As used in this section, "telemedicine services" means a**
- 19 **specific method of delivery of services, including medical exams**
- 20 **and consultations and behavioral health evaluations and treatment,**
- 21 **including those for substance abuse, using videoconferencing**
- 22 **equipment to allow a provider to render an examination or other**

1 service to a patient at a distant location. The term does not include
2 the use of the following:

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

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

9 (d) The office shall reimburse the following Medicaid providers
10 for telemedicine services:

- 11 (1) A federally qualified health center (as defined in 42 U.S.C.
12 1396d(l)(2)(B)).
13 (2) A rural health clinic (as defined in 42 U.S.C. 1396d(l)(1)).

14 (e) The office shall reimburse the following Medicaid providers
15 for telemedicine services regardless of the distance between the
16 provider and the patient:

- 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 (f) The office shall, not later than December 1, 2013, file any
25 Medicaid state plan amendment with the United States Department
26 of Health and Human Services necessary to implement and
27 administer this section, including an amendment to eliminate the
28 current twenty (20) mile distance restriction.

29 (g) The office shall implement any part of this section that is
30 approved by the United States Department of Health and Human
31 Services.

32 (h) The office may adopt rules under IC 4-22-2 necessary to
33 implement and administer this section.

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

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

39 (c) The commission shall study during the 2013 legislative
40 interim issues concerning extending telehealth services and
41 telemedicine services under the Medicaid program.

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

(Reference is to ESB 554 as reprinted March 22, 2013.)

Conference Committee Report
on
Engrossed Senate Bill 554

Signed by:

Senator Becker
Chairperson

Representative Bacon

Senator Breaux

Representative Brown C

Senate Conferees

House Conferees