

SB2561



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2561

Introduced 1/29/2020, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356z.22
305 ILCS 5/5-5.25

Amends the Illinois Insurance Code. Requires an individual or group policy of accident and health insurance that provides telehealth services to provide reimbursement for such services at the same rate that such services are reimbursed for an in-person consultation and to reimburse a facility fee to the originating site. Allows the Director of Insurance to alter the dollar amount of this facility fee, and requires the Director to review the amount of the fee at least once every 5 years. Defines "originating site". Amends the Illinois Public Aid Code. Provides that services provided through telehealth shall be reimbursed at the same rate that such services are reimbursed for an in-person consultation. Effective immediately.

LRB101 15400 BMS 64650 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by
5 changing Section 356z.22 as follows:

6 (215 ILCS 5/356z.22)

7 Sec. 356z.22. Coverage for telehealth services.

8 (a) For purposes of this Section:

9 "Distant site" means the location at which the health care
10 provider rendering the telehealth service is located.

11 "Interactive telecommunications system" means an audio and
12 video system permitting 2-way, live interactive communication
13 between the patient and the distant site health care provider.

14 "Originating site" means the location at which the patient
15 is located at the time that health care services are provided
16 to the patient by means of telehealth.

17 "Telehealth services" means the delivery of covered health
18 care services by way of an interactive telecommunications
19 system.

20 (b) If an individual or group policy of accident or health
21 insurance provides coverage for telehealth services, then it
22 must comply with the following:

23 (1) An individual or group policy of accident or health

1 insurance providing telehealth services may not:

2 (A) require that in-person contact occur between a
3 health care provider and a patient;

4 (B) require the health care provider to document a
5 barrier to an in-person consultation for coverage of
6 services to be provided through telehealth;

7 (C) require the use of telehealth when the health
8 care provider has determined that it is not
9 appropriate; or

10 (D) require the use of telehealth when a patient
11 chooses an in-person consultation.

12 (2) Deductibles, copayments, or coinsurance applicable
13 to services provided through telehealth shall not exceed
14 the deductibles, copayments, or coinsurance required by
15 the individual or group policy of accident or health
16 insurance for the same services provided through in-person
17 consultation.

18 (3) An individual or group policy of accident or health
19 insurance providing telehealth services shall reimburse
20 telehealth services at the same rate that such services are
21 reimbursed for an in-person consultation.

22 (4) An individual or group policy of accident or health
23 insurance providing telehealth services shall reimburse
24 the originating site a facility fee of \$25 per telehealth
25 service. The Director shall have the power to increase or
26 decrease the dollar amount of this facility fee as the

1 Director deems appropriate and shall review the amount of
2 the fee at least once every 5 years.

3 (b-5) If an individual or group policy of accident or
4 health insurance provides coverage for telehealth services, it
5 must provide coverage for licensed dietitian nutritionists and
6 certified diabetes educators who counsel senior diabetes
7 patients in the senior diabetes patients' homes to remove the
8 hurdle of transportation for senior diabetes patients to
9 receive treatment.

10 (c) Nothing in this Section shall be deemed as precluding a
11 health insurer from providing benefits for other services,
12 including, but not limited to, remote monitoring services,
13 other monitoring services, or oral communications otherwise
14 covered under the policy.

15 (Source: P.A. 100-1009, eff. 1-1-19.)

16 Section 10. The Illinois Public Aid Code is amended by
17 changing Section 5-5.25 as follows:

18 (305 ILCS 5/5-5.25)

19 Sec. 5-5.25. Access to behavioral health and medical
20 services.

21 (a) The General Assembly finds that providing access to
22 behavioral health and medical services in a timely manner will
23 improve the quality of life for persons suffering from illness
24 and will contain health care costs by avoiding the need for

1 more costly inpatient hospitalization.

2 (b) The Department of Healthcare and Family Services shall
3 reimburse psychiatrists, federally qualified health centers as
4 defined in Section 1905(1)(2)(B) of the federal Social Security
5 Act, clinical psychologists, clinical social workers, advanced
6 practice registered nurses certified in psychiatric and mental
7 health nursing, and mental health professionals and clinicians
8 authorized by Illinois law to provide behavioral health
9 services to recipients via telehealth. The Department, by rule,
10 shall establish: (i) criteria for such services to be
11 reimbursed, including appropriate facilities and equipment to
12 be used at both sites and requirements for a physician or other
13 licensed health care professional to be present at the site
14 where the patient is located; however, the Department shall not
15 require that a physician or other licensed health care
16 professional be physically present in the same room as the
17 patient for the entire time during which the patient is
18 receiving telehealth services; and (ii) a method to reimburse
19 providers for mental health services provided by telehealth.
20 Services provided through telehealth shall be reimbursed at the
21 same rate that such services are reimbursed for an in-person
22 consultation.

23 (c) The Department shall reimburse any Medicaid certified
24 eligible facility or provider organization that acts as the
25 location of the patient at the time a telehealth service is
26 rendered, including substance abuse centers licensed by the

1 Department of Human Services' Division of Alcoholism and
2 Substance Abuse.

3 (d) On and after July 1, 2012, the Department shall reduce
4 any rate of reimbursement for services or other payments or
5 alter any methodologies authorized by this Code to reduce any
6 rate of reimbursement for services or other payments in
7 accordance with Section 5-5e.

8 (Source: P.A. 100-385, eff. 1-1-18; 100-790, eff. 8-10-18;
9 100-1019, eff. 1-1-19; 101-81, eff. 7-12-19.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.