SENATE DOCKET, NO. 1265 FILED ON: 1/20/2011

SENATE . . . . . No. 438

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to provide insurance coverage of telemedicine services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mark C. Montigny	☐ *[District]* ☐
James E. Timilty	☐ *[District]* ☐
Colleen M. Garry	*36th Middlesex*

SENATE DOCKET, NO. 1265 FILED ON: 1/20/2011

SENATE . . . . . No. 438

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 438) of Mark C. Montigny, James E. Timilty and Colleen M. Garry for legislation to provide insurance coverage of telemedicine services. Financial Services.

The Commonwealth of Massachusetts

An Act to provide insurance coverage of telemedicine services.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 175 of the General Laws is amended by inserting, after section 47AA, the following new section:

Section 47BB

(1) Definitions

Telemedicine-For the purposes of this section, "telemedicine," as it pertains to the delivery of health care services, means the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine" does not include the use of audio-only telephone, facsimile machine or e-mail.

Telemedicine network. An insurer may limit coverage to those health care providers in a telemedicine network approved by the insurer.

Deductible, copayment and coinsurance. A contract that provides coverage for services under this section may contain a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telemedicine as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

Coverage consistency. Coverage for health care services under this section must be consistent with coverage for health care services provided through in-person consultation.

(2) Application

The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2012. For

21 purposes of this Act, all contracts are deemed to be renewed no later than the next yearly
22 anniversary of the contract date.