

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 967*
Committee Substitute Favorable 6/6/18
Third Edition Engrossed 6/11/18

Short Title: Telemedicine Policy.

(Public)

Sponsors:

Referred to:

May 21, 2018

1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 STUDY AND REPORT RECOMMENDATIONS FOR VARIOUS TELEMEDICINE
4 STANDARDS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** By September 1, 2019, the Department of Health and Human
7 Services shall study and report to the Joint Legislative Oversight Committee on Health and
8 Human Services recommendations for telemedicine reimbursement standards for private health
9 benefit plans. In conducting this study, the Department of Health and Human Services shall (i)
10 solicit the input from the Department of Insurance and relevant stakeholders and (ii) consider at
11 least all of the following:

- 12 (1) The health benefit plan reimbursement standards of other states and the results
13 of those standards on cost and access to care.
- 14 (2) The specific telemedicine modalities for which health benefit plans should be
15 required to provide reimbursement.
- 16 (3) The areas of care for which health benefit plans should be required to provide
17 reimbursement.
- 18 (4) Whether private health benefit plans should be required to provide
19 reimbursement for health care delivered via telemedicine on the same terms
20 as reimbursement for in-person care.
- 21 (5) How to ensure the State's telemedicine reimbursement policy remains flexible
22 enough to evolve with innovation.
- 23 (6) How to best encourage market competition and ensure private health benefit
24 plans retain sufficient flexibility to realize efficiencies.
- 25 (7) The projected budget impact result if Medicaid and North Carolina Health
26 Choice reimbursed for care provided via telemedicine in accordance with
27 licensure regulations for appropriate existing covered services.
- 28 (8) A recommendation whether the General Assembly should require
29 measurability assessments done in accordance with Chapter 143E of the
30 General Statutes in connection with establishing telemedicine reimbursement
31 standards for private health benefit plans.
- 32 (9) Any other issues the Department deems appropriate.

33 **SECTION 1.(b)** By September 1, 2019, the Department of Health and Human
34 Services and the Department of Information Technology shall study and report to the Joint
35 Legislative Oversight Committee on Health and Human Services recommendations for a plan to



1 ensure that all North Carolina residents have sufficiently advanced Internet connectivity to
2 receive health care via telemedicine. In conducting this study, the Departments shall and consider
3 at least all of the following:

- 4 (1) The best manner in which to incentivize investment in next-generation,
5 future-proof broadband infrastructure and reduce barriers to deployment of
6 that infrastructure.
- 7 (2) How to create community-based broadband adoption, utilization, and
8 initiatives.
- 9 (3) How to ensure all health care providers are connected to the North Carolina
10 HIE Network.
- 11 (4) A recommendation whether the General Assembly should require
12 measurability assessments done in accordance with Chapter 143E of the
13 General Statutes in connection with a plan to ensure all North Carolina
14 residents have sufficiently advanced Internet connectivity to receive health
15 care via telemedicine.
- 16 (5) Any other issues the Departments deems appropriate.

17 **SECTION 1.(c)** By September 1, 2019, the Department of Health and Human
18 Services, in consultation with the North Carolina Institute of Medicine, the North Carolina
19 Medical Board, and the North Carolina Board of Nursing shall study and report to the Joint
20 Legislative Oversight Committee on Health and Human Services and the Fiscal Research
21 Division on recommended performance metrics to be used by the Department of Health and
22 Human Services in assessing the quality of telemedicine services provided in the State. In
23 conducting this study, the Department is encouraged to examine all of the following:

- 24 (1) The final report entitled "Creating a Framework to Support Measure
25 Development for Telehealth" released by the National Quality Forum in
26 August 2017.
- 27 (2) Guidelines established by the Agency for Healthcare Research and Quality.
- 28 (3) A recommendation whether the General Assembly should require
29 measurability assessments done in accordance with Chapter 143E of the
30 General Statutes as part of the performance metrics to be used by the
31 Department of Health and Human Services in assessing the quality of
32 telemedicine services provided in the State.
- 33 (4) Any other sources the Department deems appropriate.

34 **SECTION 1.(d)** By September 1, 2019, the Department of Health and Human
35 Services shall report to the Joint Legislative Oversight Committee on Health and Human Services
36 and the Fiscal Research Division on recommended State licensing standards, credentialing
37 processes, and prescribing standards for telemedicine providers, including any proposed
38 legislation. The report shall include at least all of the following:

- 39 (1) A proposal for a standardized and centralized credentialing process for all
40 providers that is consistent with the language in the 1115 Medicaid waiver
41 submitted by the Department to the Centers for Medicare and Medicaid
42 Services.
- 43 (2) A recommendation as to whether North Carolina should participate in the
44 Interstate Medical Licensure Compact formulated by the Federation of State
45 Medical Boards.
- 46 (3) A recommendation whether the General Assembly should require
47 measurability assessments done in accordance with Chapter 143E of the
48 General Statutes when developing licensing standards, credentialing
49 processes, and prescribing standards for telemedicine providers.
- 50 (4) Any other issues the Department deems appropriate.

51 **SECTION 2.** This act is effective when it becomes law.