

House Engrossed Senate Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 70

SENATE BILL 1353

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-841.09; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.13; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1376.05; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1406.05; RELATING TO TELEMEDICINE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 20-841.09, to read:

4 20-841.09. Telemedicine; coverage of health care services;
5 definitions

6 A. ALL CONTRACTS ISSUED, DELIVERED OR RENEWED ON OR AFTER JANUARY 1,
7 2015 MUST PROVIDE COVERAGE FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH
8 TELEMEDICINE IF THE HEALTH CARE SERVICE WOULD BE COVERED WERE IT PROVIDED
9 THROUGH IN-PERSON CONSULTATION BETWEEN THE SUBSCRIBER AND A HEALTH CARE
10 PROVIDER AND PROVIDED TO A SUBSCRIBER RECEIVING THE SERVICE IN A RURAL REGION
11 OF THIS STATE. THE CONTRACT MAY LIMIT THE COVERAGE TO THOSE HEALTH CARE
12 PROVIDERS WHO ARE MEMBERS OF THE CORPORATION'S PROVIDER NETWORK.

13 B. THIS SECTION DOES NOT PREVENT A CORPORATION FROM IMPOSING
14 DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH CARE SERVICE
15 PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR COINSURANCE
16 DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE APPLICABLE TO AN
17 IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

18 C. SERVICES PROVIDED THROUGH TELEMEDICINE OR RESULTING FROM A
19 TELEMEDICINE CONSULTATION SHALL COMPLY WITH ARIZONA LICENSURE REQUIREMENTS,
20 ACCREDITATION STANDARDS AND ANY PRACTICE GUIDELINES OF A NATIONAL ASSOCIATION
21 OF MEDICAL PROFESSIONALS PROMOTING ACCESS TO MEDICAL CARE FOR CONSUMERS VIA
22 TELECOMMUNICATIONS TECHNOLOGY OR OTHER QUALIFIED MEDICAL PROFESSIONAL
23 SOCIETIES TO ENSURE QUALITY OF CARE.

24 D. THIS SECTION DOES NOT APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED
25 IN SECTION 20-1137.

26 E. FOR THE PURPOSES OF THIS SECTION:

27 1. "HEALTH CARE SERVICES" MEANS SERVICES PROVIDED FOR THE FOLLOWING
28 CONDITIONS OR IN THE FOLLOWING SETTINGS:

- 29 (a) TRAUMA.
- 30 (b) BURN.
- 31 (c) CARDIOLOGY.
- 32 (d) INFECTIOUS DISEASES.
- 33 (e) MENTAL HEALTH DISORDERS.
- 34 (f) NEUROLOGIC DISEASES INCLUDING STROKES.
- 35 (g) DERMATOLOGY.

36 2. "RURAL REGION" MEANS EITHER:

37 (a) AN AREA THAT IS LOCATED IN A COUNTY WITH A POPULATION OF LESS THAN
38 NINE HUNDRED THOUSAND PERSONS.

39 (b) A CITY OR TOWN THAT IS LOCATED IN A COUNTY WITH A POPULATION OF
40 NINE HUNDRED THOUSAND PERSONS OR MORE AND WHOSE NEAREST BOUNDARY IS MORE THAN
41 THIRTY MILES FROM THE BOUNDARY OF A CITY THAT HAS A POPULATION OF FIVE
42 HUNDRED THOUSAND PERSONS OR MORE.

43 3. "TELEMEDICINE":

44 (a) MEANS THE INTERACTIVE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC
45 MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

1 (b) DOES NOT INCLUDE THE SOLE USE OF AN AUDIO-ONLY TELEPHONE, A
2 VIDEO-ONLY SYSTEM, A FACSIMILE MACHINE, INSTANT MESSAGES OR ELECTRONIC MAIL.

3 Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes, is
4 amended by adding section 20-1057.13, to read:

5 20-1057.13. Telemedicine; coverage of health care services;
6 definitions

7 A. AN EVIDENCE OF COVERAGE ISSUED, DELIVERED OR RENEWED BY A HEALTH
8 CARE SERVICES ORGANIZATION ON OR AFTER JANUARY 1, 2015 MUST PROVIDE COVERAGE
9 FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH TELEMEDICINE IF THE HEALTH
10 CARE SERVICE WOULD BE COVERED WERE IT PROVIDED THROUGH IN-PERSON CONSULTATION
11 BETWEEN THE ENROLLEE AND A HEALTH CARE PROVIDER AND PROVIDED TO AN ENROLLEE
12 RECEIVING THE SERVICE IN A RURAL REGION OF THIS STATE. THE EVIDENCE OF
13 COVERAGE MAY LIMIT THE COVERAGE TO THOSE HEALTH CARE PROVIDERS WHO ARE
14 MEMBERS OF THE HEALTH CARE SERVICES ORGANIZATION'S PROVIDER NETWORK.

15 B. THIS SECTION DOES NOT PREVENT A HEALTH CARE SERVICES ORGANIZATION
16 FROM IMPOSING DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH
17 CARE SERVICE PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR
18 COINSURANCE DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE
19 APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

20 C. SERVICES PROVIDED THROUGH TELEMEDICINE OR RESULTING FROM A
21 TELEMEDICINE CONSULTATION SHALL COMPLY WITH ARIZONA LICENSURE REQUIREMENTS,
22 ACCREDITATION STANDARDS AND ANY PRACTICE GUIDELINES OF A NATIONAL ASSOCIATION
23 OF MEDICAL PROFESSIONALS PROMOTING ACCESS TO MEDICAL CARE FOR CONSUMERS VIA
24 TELECOMMUNICATIONS TECHNOLOGY OR OTHER QUALIFIED MEDICAL PROFESSIONAL
25 SOCIETIES TO ENSURE QUALITY OF CARE.

26 D. THIS SECTION DOES NOT APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED
27 IN SECTION 20-1137.

28 E. FOR THE PURPOSES OF THIS SECTION:

29 1. "HEALTH CARE SERVICES" MEANS SERVICES PROVIDED FOR THE FOLLOWING
30 CONDITIONS OR IN THE FOLLOWING SETTINGS:

31 (a) TRAUMA.

32 (b) BURN.

33 (c) CARDIOLOGY.

34 (d) INFECTIOUS DISEASES.

35 (e) MENTAL HEALTH DISORDERS.

36 (f) NEUROLOGIC DISEASES INCLUDING STROKES.

37 (g) DERMATOLOGY.

38 2. "RURAL REGION" MEANS EITHER:

39 (a) AN AREA THAT IS LOCATED IN A COUNTY WITH A POPULATION OF LESS THAN
40 NINE HUNDRED THOUSAND PERSONS.

41 (b) A CITY OR TOWN THAT IS LOCATED IN A COUNTY WITH A POPULATION OF
42 NINE HUNDRED THOUSAND PERSONS OR MORE AND WHOSE NEAREST BOUNDARY IS MORE THAN
43 THIRTY MILES FROM THE BOUNDARY OF A CITY THAT HAS A POPULATION OF FIVE
44 HUNDRED THOUSAND PERSONS OR MORE.

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3 3. "TELEMEDICINE":

4 (a) MEANS THE INTERACTIVE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC
5 MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

6 (b) DOES NOT INCLUDE THE SOLE USE OF AN AUDIO-ONLY TELEPHONE, A
7 VIDEO-ONLY SYSTEM, A FACSIMILE MACHINE, INSTANT MESSAGES OR ELECTRONIC MAIL.

8 Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes, is
9 amended by adding section 20-1406.05, to read:

10 20-1406.05. Telemedicine; coverage of health care services;
11 definitions

12 A. ALL POLICIES ISSUED, DELIVERED OR RENEWED BY A GROUP DISABILITY
13 INSURER OR A BLANKET DISABILITY INSURER ON OR AFTER JANUARY 1, 2015 MUST
14 PROVIDE COVERAGE FOR HEALTH CARE SERVICES THAT ARE PROVIDED THROUGH
15 TELEMEDICINE IF THE HEALTH CARE SERVICE WOULD BE COVERED WERE IT PROVIDED
16 THROUGH IN-PERSON CONSULTATION BETWEEN THE INSURED AND A HEALTH CARE PROVIDER
17 AND PROVIDED TO AN INSURED RECEIVING THE SERVICE IN A RURAL REGION OF THIS
18 STATE. THE POLICY MAY LIMIT THE COVERAGE TO THOSE HEALTH CARE PROVIDERS WHO
19 ARE MEMBERS OF THE INSURER'S PROVIDER NETWORK.

20 B. THIS SECTION DOES NOT PREVENT A GROUP OR BLANKET DISABILITY INSURER
21 FROM IMPOSING DEDUCTIBLES, COPAYMENT OR COINSURANCE REQUIREMENTS FOR A HEALTH
22 CARE SERVICE PROVIDED THROUGH TELEMEDICINE IF THE DEDUCTIBLE, COPAYMENT OR
23 COINSURANCE DOES NOT EXCEED THE DEDUCTIBLE, COPAYMENT OR COINSURANCE
24 APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME HEALTH CARE SERVICE.

25 C. SERVICES PROVIDED THROUGH TELEMEDICINE OR RESULTING FROM A
26 TELEMEDICINE CONSULTATION SHALL COMPLY WITH ARIZONA LICENSURE REQUIREMENTS,
27 ACCREDITATION STANDARDS AND ANY PRACTICE GUIDELINES OF A NATIONAL ASSOCIATION
28 OF MEDICAL PROFESSIONALS PROMOTING ACCESS TO MEDICAL CARE FOR CONSUMERS VIA
29 TELECOMMUNICATIONS TECHNOLOGY OR OTHER QUALIFIED MEDICAL PROFESSIONAL
30 SOCIETIES TO ENSURE QUALITY OF CARE.

31 D. THIS SECTION DOES NOT APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED
32 IN SECTION 20-1137.

33 E. FOR THE PURPOSES OF THIS SECTION:

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40 (e) MENTAL HEALTH DISORDERS.

41 (f) NEUROLOGIC DISEASES INCLUDING STROKES.

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2 NINE HUNDRED THOUSAND PERSONS OR MORE AND WHOSE NEAREST BOUNDARY IS MORE THAN
3 THIRTY MILES FROM THE BOUNDARY OF A CITY THAT HAS A POPULATION OF FIVE
4 HUNDRED THOUSAND PERSONS OR MORE.

5 3. "TELEMEDICINE":

6 (a) MEANS THE INTERACTIVE USE OF AUDIO, VIDEO OR OTHER ELECTRONIC
7 MEDIA FOR THE PURPOSE OF DIAGNOSIS, CONSULTATION OR TREATMENT.

8 (b) DOES NOT INCLUDE THE SOLE USE OF AN AUDIO-ONLY TELEPHONE, A
9 VIDEO-ONLY SYSTEM, A FACSIMILE MACHINE, INSTANT MESSAGES OR ELECTRONIC MAIL.

APPROVED BY THE GOVERNOR APRIL 5, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2013.

Passed the House March 25, 2013,

Passed the Senate March 4, 2013,

by the following vote: 58 Ayes,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

0 Nays, 2 Not Voting



Speaker of the House



President of the Senate



Chief Clerk of the House



Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1353

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 3, 20 13

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

3 day of April, 20 13

at 12:05 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 5th day of

April

at 12:42 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 5th day of April, 20 13

S.B. 1353

at 5:00 o'clock P M.

[Signature]
Secretary of State