



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

April 18, 2019

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 1st Regular Session, which I signed on April 18th, 2019:

H.B. 2634 peace officers; discipline; hearings; discovery (Payne)
S.B. 1089 insurance; telemedicine (Carter)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed
FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 111
SENATE BILL 1089

AN ACT

AMENDING SECTIONS 20-841.09, 20-1057.13, 20-1376.05 AND 20-1406.05,
ARIZONA REVISED STATUTES; 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. Section 20-841.09, Arizona Revised Statutes, is amended
3 to read:

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

6 A. All contracts issued, delivered or renewed on or after
7 January 1, 2018 must provide coverage for health care services that are
8 provided through telemedicine if the health care service would be covered
9 were it provided through in-person consultation between the subscriber and
10 a health care provider and provided to a subscriber receiving the service
11 in this state. A CORPORATION MAY NOT LIMIT OR DENY THE COVERAGE OF HEALTH
12 CARE SERVICES PROVIDED THROUGH TELEMEDICINE AND MAY APPLY ONLY THE SAME
13 LIMITS OR EXCLUSIONS ON A HEALTH CARE SERVICE PROVIDED THROUGH
14 TELEMEDICINE THAT ARE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME
15 HEALTH CARE SERVICE. The contract may limit the coverage to those health
16 care providers who are members of the corporation's provider network.

17 B. This section does not prevent a corporation from imposing
18 deductibles, copayment or coinsurance requirements for a health care
19 service provided through telemedicine if the deductible, copayment or
20 coinsurance does not exceed the deductible, copayment or coinsurance
21 applicable to an in-person consultation for the same health care service.

22 C. Services provided through telemedicine or resulting from a
23 telemedicine consultation ARE SUBJECT TO ALL OF THIS STATE'S LAWS AND
24 RULES THAT GOVERN PRESCRIBING, DISPENSING AND ADMINISTERING PRESCRIPTION
25 PHARMACEUTICALS AND DEVICES AND shall comply with Arizona licensure
26 requirements, ~~accreditation standards~~ and any practice guidelines of a
27 national association of medical professionals promoting access to medical
28 care for consumers via telecommunications technology or other qualified
29 medical professional societies to ensure quality of care.

30 D. This section does not apply to limited benefit coverage as
31 defined in section 20-1137.

32 E. For the purposes of this section, ~~:-~~

33 ~~1. "Health care services" means services provided for the following~~
34 ~~conditions or in the following settings:~~

35 ~~(a) Trauma.~~

36 ~~(b) Burn.~~

37 ~~(c) Cardiology.~~

38 ~~(d) Infectious diseases.~~

39 ~~(e) Mental health disorders.~~

40 ~~(f) Neurologic diseases including strokes.~~

41 ~~(g) Dermatology.~~

42 ~~(h) Pulmonology.~~

43 ~~(i) Beginning January 1, 2020, urology.~~

44 ~~(j) Beginning January 1, 2019, pain medicine.~~

45 ~~(k) Beginning January 1, 2019, substance abuse.~~

1 national association of medical professionals promoting access to medical
2 care for consumers via telecommunications technology or other qualified
3 medical professional societies to ensure quality of care.

4 D. This section does not apply to limited benefit coverage as
5 defined in section 20-1137.

6 E. For the purposes of this section, ~~—~~

7 ~~1. "Health care services" means services provided for the following~~
8 ~~conditions or in the following settings:~~

9 ~~(a) Trauma.~~

10 ~~(b) Burn.~~

11 ~~(c) Cardiology.~~

12 ~~(d) Infectious diseases.~~

13 ~~(e) Mental health disorders.~~

14 ~~(f) Neurologic diseases including strokes.~~

15 ~~(g) Dermatology.~~

16 ~~(h) Pulmonology.~~

17 ~~(i) Beginning January 1, 2020, urology.~~

18 ~~(j) Beginning January 1, 2019, pain medicine.~~

19 ~~(k) Beginning January 1, 2019, substance abuse.~~

20 ~~2. "telemedicine":~~

21 ~~(a) 1. Means the interactive use of audio, video or other~~
22 ~~electronic media, INCLUDING ASYNCHRONOUS STORE-AND-FORWARD TECHNOLOGIES~~
23 ~~AND REMOTE PATIENT MONITORING TECHNOLOGIES, for the purpose of diagnosis,~~
24 ~~consultation or treatment.~~

25 ~~(b) 2. Does not include the sole use of an audio-only telephone, a~~
26 ~~video-only system, a facsimile machine, instant messages or electronic~~
27 ~~mail.~~

28 Sec. 4. Section 20-1406.05, Arizona Revised Statutes, is amended to
29 read:

30 20-1406.05. Telemedicine; coverage of health care services;
31 definition

32 A. All policies issued, delivered or renewed by a group disability
33 insurer or a blanket disability insurer on or after January 1, 2018 must
34 provide coverage for health care services that are provided through
35 telemedicine if the health care service would be covered were it provided
36 through in-person consultation between the insured and a health care
37 provider and provided to an insured receiving the service in this state.
38 A BLANKET DISABILITY INSURER MAY NOT LIMIT OR DENY THE COVERAGE OF HEALTH
39 CARE SERVICES PROVIDED THROUGH TELEMEDICINE AND MAY APPLY ONLY THE SAME
40 LIMITS OR EXCLUSIONS ON A HEALTH CARE SERVICE PROVIDED THROUGH
41 TELEMEDICINE THAT ARE APPLICABLE TO AN IN-PERSON CONSULTATION FOR THE SAME
42 HEALTH CARE SERVICE. The policy may limit the coverage to those health
43 care providers who are members of the insurer's provider network.

44 B. This section does not prevent a group or blanket disability
45 insurer from imposing deductibles, copayment or coinsurance requirements

1 for a health care service provided through telemedicine if the deductible,
2 copayment or coinsurance does not exceed the deductible, copayment or
3 coinsurance applicable to an in-person consultation for the same health
4 care service.

5 C. Services provided through telemedicine or resulting from a
6 telemedicine consultation ARE SUBJECT TO ALL OF THIS STATE'S LAWS AND
7 RULES THAT GOVERN PRESCRIBING, DISPENSING AND ADMINISTERING PRESCRIPTION
8 PHARMACEUTICALS AND DEVICES AND shall comply with Arizona licensure
9 requirements, ~~accreditation standards~~ and any practice guidelines of a
10 national association of medical professionals promoting access to medical
11 care for consumers via telecommunications technology or other qualified
12 medical professional societies to ensure quality of care.

13 D. This section does not apply to limited benefit coverage as
14 defined in section 20-1137.

15 E. For the purposes of this section, ~~:-~~

16 1. ~~"Health care services" means services provided for the following~~
17 ~~conditions or in the following settings:~~

18 ~~(a) Trauma.~~

19 ~~(b) Burn.~~

20 ~~(c) Cardiology.~~

21 ~~(d) Infectious diseases.~~

22 ~~(e) Mental health disorders.~~

23 ~~(f) Neurologic diseases including strokes.~~

24 ~~(g) Dermatology.~~

25 ~~(h) Pulmonology.~~

26 ~~(i) Beginning January 1, 2020, urology.~~

27 ~~(j) Beginning January 1, 2019, pain medicine.~~

28 ~~(k) Beginning January 1, 2019, substance abuse.~~

29 2. "telemedicine":

30 ~~(a)~~ 1. Means the interactive use of audio, video or other
31 electronic media, INCLUDING ASYNCHRONOUS STORE-AND-FORWARD TECHNOLOGIES
32 AND REMOTE PATIENT MONITORING TECHNOLOGIES, for the purpose of diagnosis,
33 consultation or treatment.

34 ~~(b)~~ 2. Does not include the sole use of an audio-only telephone, a
35 video-only system, a facsimile machine, instant messages or electronic
36 mail.

37 Sec. 5. Effective date

38 This act is effective from and after December 31, 2020.

APPROVED BY THE GOVERNOR APRIL 18, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2019.

Passed the House April 11, 2019,

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 25, 2019,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

15th day of April, 2019,

at 1:47 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 18th day of

April, 2019,

at 9:16 o'clock A M.

[Signature]
Governor of Arizona

S.B. 1089

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 18 day of April, 2019,

at 1:41 o'clock P. M.

[Signature]
Secretary of State