

HB 1014 -- TELEHEALTH STORE-AND-FORWARD TECHNOLOGY

SPONSOR: Frederick

This bill changes the laws regarding the use of store-and-forward technology in the practice of telehealth services for MO HealthNet recipients. The bill defines "asynchronous store-and-forward" as the transfer of a patient's clinically important digital samples, such as still images, videos, audio, and text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the patient and the patient's treating provider. The bill requires the Department of Social Services, in consultation with the departments of Mental Health and Health and Senior Services, to promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet Program. The rules must address asynchronous store-and-forward usage issues as specified in the bill.

Telehealth providers using asynchronous store-and-forward technology must be required to obtain patient consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for the asynchronous store-and-forward services must be made so that the total payment for the consultation must be divided between the treating provider and the consulting provider. The total payment for both the treating provider and the consulting provider must not exceed the payment for a face-to-face consultation of the same level. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth must be the same as the standard of care for face-to-face care.

The bill establishes the Telehealth Services Advisory Committee to advise the Department of Social Services and propose rules regarding the coverage of telehealth services utilizing asynchronous store-and-forward technology. The committee must be comprised of the following members:

- (1) The Director of the MO HealthNet Division within the Department of Social Services, or the director's designee;
- (2) The medical director of the MO HealthNet Division;
- (3) A representative from a Missouri institution of higher

education with expertise in telemedicine, appointed by the Governor;

(4) A representative from the Missouri Office of Primary Care and Rural Health within the Department of Health and Senior Services, appointed by the Governor;

(5) Two board-certified specialists licensed to practice in Missouri, appointed by the Governor;

(6) A representative from a hospital located in Missouri that utilizes telehealth medicine, appointed by the Governor;

(7) A primary care provider from a federally qualified health center (FQHC) or rural health clinic, appointed by the Governor; and

(8) A primary care provider from a rural setting other than from an FQHC or rural health clinic, appointed by the Governor.

The first appointments to the committee must consist of three members to serve three-year terms, two members to serve two-year terms, and two members to serve one-year terms as designated by the Governor. Each member of the committee must serve for a term of three years thereafter. Members of the committee must not receive any compensation for their services but must be reimbursed for any actual and necessary expenses incurred in the performance of their duties. Any member appointed by the Governor may be removed from office by the Governor without cause. If there is a vacancy for any cause, the Governor must make an appointment to become effective immediately for the unexpired term.