

1-1 By: Bhojani, et al. (Senate Sponsor - Blanco) H.B. No. 3942
1-2 (In the Senate - Received from the House May 3, 2023;
1-3 May 5, 2023, read first time and referred to Committee on Health &
1-4 Human Services; May 21, 2023, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 21, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Kolkhorst	X		
1-9	Perry	X		
1-10	Blanco	X		
1-11	Hall	X		
1-12	Hancock	X		
1-13	Hughes	X		
1-14	LaMantia	X		
1-15	Miles	X		
1-16	Sparks	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to health benefit plan coverage of telemedicine,
1-20 teledentistry, and telehealth appointments with an originating
1-21 site or distant site located outside this state.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 1455.001, Insurance Code, is amended by
1-24 amending Subdivision (1-a) and adding Subdivisions (1-b) and (1-c)
1-25 to read as follows:

1-26 (1-a) "Distant site" means the location where a health
1-27 professional provides a telemedicine medical service,
1-28 teledentistry dental service, or telehealth service.

1-29 (1-b) "Health professional" means:

1-30 (A) a physician;

1-31 (B) an individual who is:

1-32 (i) licensed or certified in this state to
1-33 perform health care services; and

1-34 (ii) authorized to assist:

1-35 (a) a physician in providing
1-36 telemedicine medical services that are delegated and supervised by
1-37 the physician; or

1-38 (b) a dentist in providing
1-39 teledentistry dental services that are delegated and supervised by
1-40 the dentist;

1-41 (C) a licensed or certified health professional
1-42 acting within the scope of the license or certification who does not
1-43 perform a telemedicine medical service or a teledentistry dental
1-44 service; or

1-45 (D) a dentist.

1-46 (1-c) "Originating site" means the location where an
1-47 individual receives a telemedicine medical service, teledentistry
1-48 dental service, or telehealth service.

1-49 SECTION 2. Section 1455.004, Insurance Code, is amended by
1-50 adding Subsection (e) to read as follows:

1-51 (e) A health benefit plan must provide coverage for a
1-52 covered health care service or procedure delivered as a
1-53 telemedicine medical service, teledentistry dental service, or
1-54 telehealth service with an originating site or distant site located
1-55 outside this state on the same basis and to the same extent that the
1-56 plan provides coverage for the service or procedure delivered as a
1-57 telemedicine medical service, teledentistry dental service, or
1-58 telehealth service with an originating site and distant site
1-59 located in this state if:

1-60 (1) the individual who receives the service resides
1-61 primarily in this state; and

(2) the health professional who provides the service:

(A) is licensed or otherwise authorized to provide the service in this state; and

(B) has a physical office in this state.

SECTION 3. Section 1455.004, Insurance Code, as amended by this Act, applies only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2024. A health benefit plan delivered, issued for delivery, or renewed before January 1, 2024, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2023.

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