



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5473

by Rep. Anna Moeller

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/356z.22  
225 ILCS 150/5  
225 ILCS 150/20 new

Amends the Illinois Insurance Code. In provisions concerning if an individual or group policy of accident or health insurance coverage for telehealth services, provides that all health care provider access information of provider directories shall include: whether the provider offers the use of telehealth or telemedicine to deliver services; what modalities the provider uses and what services through telehealth or telemedicine are provided; and whether the provider has the ability and willingness to include in a telehealth or telemedicine encounter a family caregiver who is in a separate location than the patient, if the patient wishes and provides consent. Amends the Telehealth Act. Provides that an insurance company or health plan that provides health care professional or provider directories shall include: whether the provider offers the use of telehealth to deliver services; what modalities the provider uses and what services through telehealth or telemedicine are provided; and whether the provider has the ability and willingness to include in a telehealth encounter a family caregiver who is in a separate location than the patient, if the patient wishes and provides consent. Effective immediately.

LRB100 19674 SMS 34948 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by  
5 changing Section 356z.22 as follows:

6 (215 ILCS 5/356z.22)

7 Sec. 356z.22. Coverage for telehealth services.

8 (a) For purposes of this Section:

9 "Distant site" means the location at which the health care  
10 provider rendering the telehealth service is located.

11 "Family caregiver" means a relative, partner, friend, or  
12 neighbor who has a significant relationship with the patient  
13 and administers or assists the patient with activities of daily  
14 living, instrumental activities of daily living, or other  
15 medical or nursing tasks for the quality and welfare of that  
16 patient.

17 "Interactive telecommunications system" means an audio and  
18 video system permitting 2-way, live interactive communication  
19 between the patient and the distant site health care provider.

20 "Telehealth services" means the delivery of covered health  
21 care services by way of an interactive telecommunications  
22 system.

23 (b) If an individual or group policy of accident or health

1 insurance provides coverage for telehealth services, then it  
2 must comply with the following:

3 (1) An individual or group policy of accident or health  
4 insurance providing telehealth services may not:

5 (A) require that in-person contact occur between a  
6 health care provider and a patient;

7 (B) require the health care provider to document a  
8 barrier to an in-person consultation for coverage of  
9 services to be provided through telehealth;

10 (C) require the use of telehealth when the health  
11 care provider has determined that it is not  
12 appropriate; or

13 (D) require the use of telehealth when a patient  
14 chooses an in-person consultation.

15 (2) Deductibles, copayments, or coinsurance applicable  
16 to services provided through telehealth shall not exceed  
17 the deductibles, copayments, or coinsurance required by  
18 the individual or group policy of accident or health  
19 insurance for the same services provided through in-person  
20 consultation.

21 (3) All health care provider access information or  
22 provider directories, whether in electronic format or,  
23 upon request, in print format, shall, at a minimum,  
24 include:

25 (A) whether the provider offers the use of  
26 telehealth or telemedicine to deliver services;

1           (B) what modality the provider uses and what  
2           services through telehealth or telemedicine are  
3           provided; and

4           (C) whether the provider has the ability and  
5           willingness to include in a telehealth or telemedicine  
6           encounter a family caregiver who is in a separate  
7           location than the patient, if the patient wishes and  
8           provides his or her consent.

9           (c) Nothing in this Section shall be deemed as precluding a  
10          health insurer from providing benefits for other services,  
11          including, but not limited to, remote monitoring services,  
12          other monitoring services, or oral communications otherwise  
13          covered under the policy.

14          (Source: P.A. 98-1091, eff. 1-1-15.)

15          Section 10. The Telehealth Act is amended by changing  
16          Section 5 and by adding Section 20 as follows:

17                 (225 ILCS 150/5)

18                 Sec. 5. Definitions. As used in this Act:

19                 "Family caregiver" means a relative, partner, friend, or  
20                 neighbor who has a significant relationship with the patient  
21                 and administers or assists the patient with activities of daily  
22                 living, instrumental activities of daily living, or other  
23                 medical or nursing tasks for the quality and welfare of that  
24                 patient.

1 "Health care professional" includes physicians, physician  
2 assistants, optometrists, advanced practice registered nurses,  
3 clinical psychologists licensed in Illinois, and mental health  
4 professionals and clinicians authorized by Illinois law to  
5 provide mental health services.

6 "Telehealth" means the evaluation, diagnosis, or  
7 interpretation of electronically transmitted patient-specific  
8 data between a remote location and a licensed health care  
9 professional that generates interaction or treatment  
10 recommendations. "Telehealth" includes telemedicine and the  
11 delivery of health care services provided by way of an  
12 interactive telecommunications system, as defined in  
13 subsection (a) of Section 356z.22 of the Illinois Insurance  
14 Code.

15 (Source: P.A. 100-317, eff. 1-1-18; revised 1-24-18.)

16 (225 ILCS 150/20 new)

17 Sec. 20. Health care professional directories. An  
18 insurance company or health plan that provides health care  
19 professional or provider directories, whether in electronic  
20 format or, upon request, in print format, shall, at a minimum,  
21 include:

22 (1) whether the provider offers the use of telehealth  
23 to deliver services;

24 (2) what modality the provider uses and what services  
25 through telehealth are provided; and

1           (3) whether the provider has the ability and  
2           willingness to include in a telehealth encounter a family  
3           caregiver who is in a separate location than the patient,  
4           if the patient wishes and provides his or her consent.

5           Section 99. Effective date. This Act takes effect upon  
6           becoming law.