

SUBJECT: Revising provisions for reimbursement of certain health care services

COMMITTEE: Insurance — favorable, without amendment

VOTE: 5 ayes — Oliverson, A. Johnson, Cortez, Julie Johnson, Perez
4 nays — Cain, Caroline Harris, Hull, Paul

WITNESSES: For — Thomas Kim, Texas Medical Association (*Registered, but did not testify*; Stacy Wilson, Children’s Hospital Association of Texas; Nelda Hunter, Cook Children’s Medical Center; Greg Hansch, National Alliance on Mental Illness (NAMI) TX; Maureen Milligan, Teaching Hospitals of Texas; Ben Wright, Texas Medical Association)

Against — Robert Baratta, Teladoc Health (*Registered, but did not testify*; Annie Spilman, NFIB; Matt Abel, Texas Association of Business; Blake Hutson, Texas Association of Health Plans)

On — (*Registered, but did not testify*; Rachel Bowden, Texas Department of Insurance)

BACKGROUND: Concerns have been raised that the payment for telehealth services may discourage some providers from expanding the use of telehealth. Some have suggested that requiring health plans to pay providers the same rate whether the service is delivered in-person or via telehealth would expand access to care and reduce overall health care costs.

DIGEST: HB 1726 would require health plans to reimburse a preferred or contracted health professional for providing a covered health care service or procedure to a covered patient as a telemedicine medical service, teledentistry dental service, or telehealth service on the same basis and at least at the same rate that the plan provided reimbursement to the health professional for the service or procedure in an in-person setting.

A health plan would not be required to pay more than the billed charge on a claim or to reimburse a preferred or contracted provider if the

telemedicine, teledentistry, or telehealth service had been provided as part of a mutually agreed upon risk-based payment arrangement.

A health plan also could not require a preferred or contracted health professional to provide documentation of a covered service or procedure delivered to a patient beyond that which would be required for the service or procedure in an in-person setting.

HB 1726 would add mental health professionals to the list of professionals that could receive payment for providing telehealth services and would specify the qualifications a mental health professional would need to meet to receive payment for delivering a telehealth service.

The requirements of HB 1726 could not be waived, voided, or nullified by contract.

The bill would take effect September 1, 2023 and would apply only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2024.