



H.986/S.655

An Act relative to telehealth and digital equity for patients

Sponsored by Rep. Marjorie Decker & Sen. Adam Gomez
Referred to Joint Committee on Financial Services

Empowering telehealth to expand and evolve in the commonwealth.

Telemedicine made tremendous gains in Massachusetts during the pandemic, but the policies now in place regarding virtual care are only a start. This proposal builds off the gains made over the past several years, providing Massachusetts with a long-term infrastructure to sustain and grow virtual care for the millions of patients within its borders.

Bill Summary

While Chapter 260 of the Acts of 2020 required reimbursement parity for behavioral health services offered via telehealth to be on par with in-person visits in perpetuity, this bill **requires reimbursement parity for all telehealth services to be on par with in-person services** by removing the sunset dates for reimbursement parity for telehealth services.

It establishes two task forces—one, to study interstate licensure of physicians and two, to study interstate licensure of other healthcare providers including advanced practice registered nurses, physician assistants and behavioral and allied health professions. It also includes language to make clear that Massachusetts-licensed providers can provide telehealth to patients regardless of their physical location.

It includes language requiring health plans to develop and maintain procedures to identify and offer digital health education to enrollees with low digital health literacy to assist with accessing any medically necessary covered telehealth benefits (mirroring language that has been proposed for Medicare Advantage plans by CMS).

It would **require EOHHS and EOHED to utilize the new common application portal that's being developed for state services like MassHealth and other low-income services** to determine a method to also allow individuals to simultaneously apply to the affordable connectivity program administered by the federal communications commission.

It introduces language requiring MassHealth to clarify coverage and reimbursement for e-Consults and remote patient monitoring services and devices. MassHealth signaled its intent to provide guidance with regards to e-Consults and remote patient monitoring more than a year ago and providers are eager to engage in coverage and reimbursement for these services.

The legislation also **requires the MassHealth program to keep in place its current coverage and reimbursement policies which are scheduled to expire on September 30, 2023.**

This **bill directs the Health Policy Commission (HPC) to establish two programs**—a Digital Bridge Pilot Program and a Digital Health Navigator Tech Literacy Pilot Program—to support expanded access to telehealth technologies and technological literacy.

It **prohibits insurers from imposing prior authorization requirements on medically necessary telehealth visits** that would not apply to in-person visits.

It further **requires insurers to cover interpreter services for patients with limited English proficiency and for those who are deaf or hard of hearing.**

It **expands the definition of chronic disease management covered by telehealth services to include COVID-19 and its long-term symptoms as well as additional children’s chronic diseases** whose treatment is covered under Medicaid.

It **directs the Division of Insurance to establish standardized processes and procedures**, including automated approval systems and the establishment of an electronic data exchange, applicable to all healthcare providers and payers to determine a patient’s health benefit plan eligibility at or prior to the time of services, including telehealth services.

About the Massachusetts Telemedicine Coalition (tMED)

This proposal is supported by the tMED Coalition, which represents more than 50 provider organizations, consumer advocates, technology organizations, and telecommunications associations – all of which are united to help support the advancement and expansion of virtual care in Massachusetts.

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