



HB.1130/SB.763

An Act relative to telehealth and digital equity for patients

Sponsored by Rep. Marjorie Decker & Sen. Adam Gomez
Referred to the 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 critical virtual care services for the millions of patients within its borders.

What the Bill Does

Enhances Coverage, Reimbursement & Workforce

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 another to study interstate licensure of other healthcare providers including advanced practice registered nurses, physician assistants and behavioral and allied health professions.

It includes language requiring MassHealth to clarify coverage and reimbursement for e-consults and remote patient monitoring (RPM) services and devices. In particular, the legislation would require MassHealth RPM services to cover and reimburse for **treatment for congenital heart diseases, pulmonary conditions and lung disease, enteral nutrition and feeding needs, failure to thrive and gain weight, gastrointestinal conditions.**

Requires all commercial payers and the Group Insurance Commission **to cover and reimburse for e-consults, e-visits, RPM Services, and remote therapeutic monitoring (RTM) services and devices.** It requires MassHealth to similarly cover and reimburse for r-visits and RTM services and devices that are currently not covered.

Improves Digital Equity

This proposal **would require health plans 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 adopted for Medicare Advantage plans by CMS).

It would require EOHHS and EOHED to utilize the new common application portal being developed for state services like MassHealth and other low-income services to **establish a method for individuals to simultaneously apply to low-income discount programs offered by internet service providers.**

This **bill directs the Health Policy Commission 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 digital literacy.

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

The legislation establishes a special commission to make recommendations on how to **address the inequity of health outcomes and digital access through the recruitment and implementation of digital health navigators.**

Streamlining Care Access

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

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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