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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2019 Senate Bill 380**

**Senate Amendment 1**

### 2019 SENATE BILL 380

The bill requires the Department of Health Services (DHS) to provide reimbursement under the state Medical Assistance (MA) program for any benefit that is covered under MA, delivered by a certified MA provider, and provided through interactive telehealth. DHS must pay for such a service provided by a certified MA provider at a distant site an amount equal to the amount the certified provider would receive under the MA program if the service were provided through a method other than telehealth.

The bill also requires DHS to provide all of the following as a reimbursable benefit under the MA program: a consultation conducted through interactive telehealth between a certified provider and a MA recipient's provider; remote patient monitoring of a MA recipient; asynchronous telehealth service, also known as store-and-forward; a service provided through communication technology that is covered under the federal Medicare program; and any other telehealth service specified by DHS by rule. DHS may exclude services by rule from MA reimbursement and may provide reimbursement by rule for certain services that are not typically considered telehealth services.

Also, under the bill, DHS is prohibited from requiring a certified Medicaid provider that provides a reimbursable service under the bill to obtain an additional certification or meet additional requirements solely because the service was delivered through telehealth, except that DHS may require, by rule, that the transmission of information through telehealth be of sufficient quality to be functionally equivalent to face-to-face contact. DHS may apply any requirement that is applicable to a covered service that is not provided through telehealth to any service provided through telehealth under the bill. The bill prohibits DHS from limiting coverage or reimbursement of a service provided through telehealth under the bill based on the location of the MA recipient when the service is provided.

### SENATE AMENDMENT 1

As it pertains to the bill's requirement that the state MA program provide reimbursement for a service provided through communication technology that is covered under the federal Medicare program, Senate Amendment 1 provides that only certain services covered under Medicare, including telehealth services as defined under federal law, remote physiologic monitoring, remote evaluation of prerecorded patient information, brief communication technology-based services, and care management services delivered through telehealth, for which the federal Department of Health and Human Services provides MA federal financial participation, are covered under the bill.

### SENATE AMENDMENT 2

Senate Amendment 2 removes the provision of the bill that provides that DHS must pay for reimbursable MA services at a distant site at an amount equal to the amount a provider would receive if the service were provided through a method other than telehealth.

## **BILL HISTORY**

Senators Kooyenga and Bewley offered Senate Amendment 1 on September 18, 2019. On October 23, 2019, the Senate Committee on Health and Human Services recommended adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0. Senators Kooyenga and Bewley offered Senate Amendment 2 on October 24, 2019. On November 5, 2019, the Senate adopted Senate Amendments 1 and 2, and passed the bill, as amended, on voice votes.

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