

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 305

Senator Craig

Cosponsors: Senators Thomas, Antonio, Maharath

A BILL

To amend section 3902.30 of the Revised Code to
require health plan issuers to cover
telemedicine services during a state of
emergency and to declare an emergency. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3902.30 of the Revised Code be
amended to read as follows: 5
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Sec. 3902.30. (A) As used in this section: 7

(1) "Health benefit plan," "health care services," and
"health plan issuer" have the same meanings as in section
3922.01 of the Revised Code. 8
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(2) "Health care professional" means any of the following: 11

(a) A physician licensed under Chapter 4731. of the
Revised Code to practice medicine and surgery, osteopathic
medicine and surgery, or podiatric medicine and surgery; 12
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(b) A physician assistant licensed under Chapter 4731. of
the Revised Code; 15
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(c) An advanced practice registered nurse as defined in 17
section 4723.01 of the Revised Code. 18

(3) "Health care services provider" means a physician, 19
psychologist, nurse practitioner, or other health care 20
practitioner licensed, accredited, or certified to perform 21
health care services consistent with state law. 22

(4) "In-person health care services" means health care 23
services delivered by a health care professional through the use 24
of any communication method where the professional and patient 25
are simultaneously present in the same geographic location. 26

~~(4)~~ (5) "Recipient" means a patient receiving health care 27
services or a health care professional with whom the provider of 28
health care services is consulting regarding the patient. 29

~~(5)~~ (6) "Telemedicine services" means a mode of providing 30
health care services through synchronous or asynchronous 31
information and communication technology by a health care 32
professional, within the professional's scope of practice, who 33
is located at a site other than the site where the recipient is 34
located. 35

(B) (1) A health benefit plan shall provide coverage for 36
telemedicine services on the same basis and to the same extent 37
that the plan provides coverage for the provision of in-person 38
health care services. 39

(2) A health benefit plan shall not exclude coverage for a 40
service solely because it is provided as a telemedicine service. 41

(C) A health benefit plan shall not impose any annual or 42
lifetime benefit maximum in relation to telemedicine services 43
other than such a benefit maximum imposed on all benefits 44
offered under the plan. 45

(D) This section shall not be construed as doing any of 46
the following: 47

(1) Prohibiting a health benefit plan from assessing cost- 48
sharing requirements to a covered individual for telemedicine 49
services, provided that such cost-sharing requirements for 50
telemedicine services are not greater than those for comparable 51
in-person health care services; 52

(2) Requiring a health plan issuer to reimburse a health 53
care professional for any costs or fees associated with the 54
provision of telemedicine services that would be in addition to 55
or greater than the standard reimbursement for comparable in- 56
person health care services; 57

(3) Requiring a health plan issuer to reimburse a 58
telemedicine provider for telemedicine services at the same rate 59
as in-person services, except as provided in division (F) of 60
this section. 61

(E) This Except as provided in division (F) of this 62
section, this section applies to all health benefit plans 63
issued, offered, or renewed on or after January 1, 2021. 64

(F) (1) (a) During a state of emergency declared by the 65
governor of this state or the president of the United States, a 66
health plan issuer shall cover any health care service that is 67
provided as a telemedicine service if both of the following 68
apply: 69

(i) The health care service is a covered service. 70

(ii) It is determined by the health care services provider 71
that doing so is in the interest of the public. 72

(b) Reimbursement provided under division (F) (1) (a) of 73

this section shall be at the same rate and in the same manner as 74
if the health care service had been provided as an in-person 75
health care service. 76

(2) Division (F) of this section shall not be construed as 77
doing any of the following: 78

(a) Authorizing a health care services provider to provide 79
health care services outside of the provider's legal scope of 80
practice; 81

(b) Requiring a health plan issuer to reimburse a health 82
care services provider for providing a health care service that 83
is outside of the provider's legal scope of practice; 84

(c) Requiring a health plan issuer to provide 85
reimbursement for a health care service that is not a covered 86
service. 87

Section 2. That existing section 3902.30 of the Revised 88
Code is hereby repealed. 89

Section 3. This act is an emergency measure necessary for 90
the immediate preservation of the public peace, health, and 91
safety. The reason for such necessity is to prevent the 92
transmission of COVID-19 while providing the people of Ohio with 93
necessary access to health care services. Therefore, this act 94
shall go into immediate effect. 95