

# South Central TRC Feb. 2020 Legislative Update

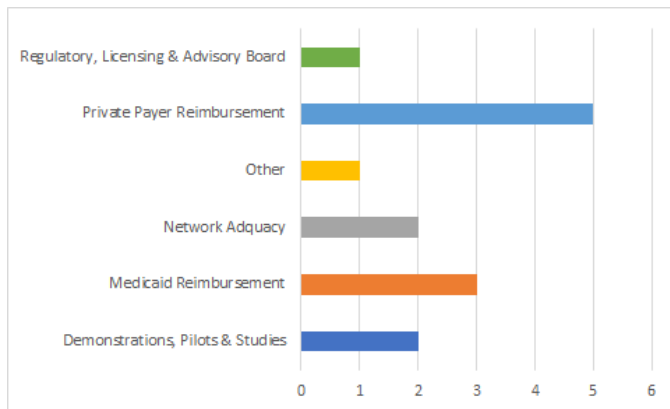
Last Updated: February 28, 2020

South Central Telehealth Resource Center covers the states of Arkansas, Mississippi, & Tennessee

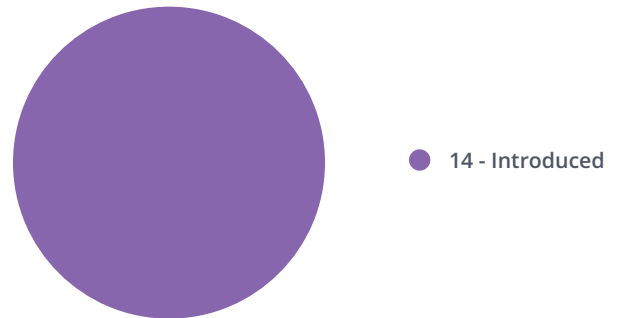
A few notes about this report:

1. Bills are organized into specific telehealth "topic area".
2. The Fiscal Note (FN) Outlook: The left hand column indicates the bill's Pre-Floor Score, and the right hand column indicates the bill's actual Floor Score of the last chamber it was in (either Senate or House).
3. Regulations are listed at the end in order of their publication date.
4. If you would like to learn more about any piece of legislation or regulation, the bill numbers and regulation titles are clickable and link out to additional information.

## Bills by Topic



## Bills by Status



## All Bills (by Topic)

### Demonstrations, Grants & Pilot Projects (2)

State	Bill Number	Last Action	Status	FN Outlook
TN	<a href="#">HB 2509</a>	Placed On S C Cal Public Health Subcommittee For 3 3 2020 2020 02 26	In House	21.5% 74.6%

**Title**

Public Funds and Financing - As introduced, adds requirements to the spending, dedicating, or reserve of certain funds from the temporary assistance for needy families (TANF) program by the department of human services and the department of health. - Amends TCA Title 4; Title 9; Title 68 and Title 71.

**Bill Summary:** Requires the department of health shall request and consider grant proposals, and make grant awards to qualified providers for evidence-based models and for innovations on evidence-based models, such as those using telehealth interventions and strategies for families with newborns that can improve program reach and effectiveness.

**Primary Sponsors**

David Hawk

State	Bill Number	Last Action	Status	FN Outlook
TN	<a href="#">SB 2797</a>	Passed On Second Consideration Refer To Senate Health And Welfare Committee 2020 02 10	In Senate	93.8% 65.7%

**Title**

Public Funds and Financing - As introduced, adds requirements to the spending, dedicating, or reserve of certain funds from the temporary assistance for needy families (TANF) program by the department of human services and the department of health. - Amends TCA Title 4; Title 9; Title 68 and Title 71.

**Bill Summary:** Requires the department of health to request and consider grant proposals, and make grant awards to qualified providers for evidence-based models and for innovations on evidence-based models, such as those using telehealth interventions and strategies for families with newborns that can improve program reach and effectiveness.

**Primary Sponsors**

Raumesh Akbari

**Medicaid Reimbursement (3)**

State	Bill Number	Last Action	Status	FN Outlook
MS	<a href="#">HB 1420</a>	Referred To Medicaid Appropriations 2020 02 17	In House	6.2% 81.3%

**Title**

Medicaid; revise reimbursement for telehealth services provided by FQHCs and community health centers.

**Description**

An Act To Amend Section 43-13-117, Mississippi Code Of 1972, To Provide That For Telehealth Services Provided By Federally Qualified Health Centers And Community Health Centers, The Distant Or Hub Site Provider Shall Be Reimbursed The Applicable Medicaid Fee For The Telehealth Services Provided; To Provide That Telehealth Services Provided By Federally Qualified Health Centers And Community Health Centers Shall Be Considered To Be Billable At The Same Face-To-Face Encounter Rate Used For All Other Medicaid Reimbursements To Those Centers Under The Prospective Payment System; And For Related Purposes.

**Bill Summary:** Requires that for telehealth services provided by federally qualified health centers and community health centers, the distant or hub site provider shall be reimbursed the applicable Medicaid fee for the telehealth services provided. Telehealth services provided by federally qualified health centers and community health centers shall be considered to be billable at the same face-to-face encounter rate used for all other Medicaid reimbursements to federally qualified health centers and community health centers under the prospective payment system.

**Primary Sponsors**

Rob Johnson

State	Bill Number	Last Action	Status	FN Outlook
MS	<a href="#">SB 2612</a>	Referred To Medicaid Appropriations 2020 02 17	In Senate	3.3% 86.1%

#### Title

Medicaid reimbursement; authorize for substance abuse and mental health services for pregnant and postpartum women.

#### Description

An Act To Amend Section 43-13-117, Mississippi Code Of 1972, To Authorize Medicaid Reimbursement For Substance Abuse And Mental Health Services For Pregnant And Postpartum Women In A Community-Based, Telehealth Or Faith-Based Setting; And For Related Purposes.

#### Primary Sponsors

Barbara Blackmon

**Bill Summary:** Requires Medicaid to reimburse for substance abuse and mental health services for pregnant and postpartum women, delivered in a community based, telehealth or faith-based care setting.

State	Bill Number	Last Action	Status	FN Outlook
MS	<a href="#">SB 2816</a>	Referred To Medicaid Appropriations 2020 02 17	In Senate	3.5% 89.7%

#### Title

Community health centers; revise reimbursement for telehealth services.

#### Description

An Act To Amend Section 43-13-117, Mississippi Code Of 1972, To Provide That For Telehealth Services Provided By Federally Qualified Health Centers And Community Health Centers, The Distant Or Hub Site Provider Shall Be Reimbursed The Applicable Medicaid Fee For The Telehealth Services Provided; To Provide That Telehealth Services Provided By Federally Qualified Health Centers And Community Health Centers Shall Be Considered To Be Billable At The Same Face-To-Face Encounter Rate Used For All Other Medicaid Reimbursements To Those Centers Under The Prospective Payment System; And For Related Purposes.

#### Primary Sponsors

Bobby Jackson

**Bill Summary:** Provides that for telehealth services provided by FQHCs and CHCs, the distant or hub site provider shall be reimbursed the applicable Medicaid fee for the telehealth services provided. The services shall be considered to be billable at the same face-to-face encounter rate used for all other medicaid reimbursement.

## Network Adequacy (2)

State	Bill Number	Last Action	Status	FN Outlook
TN	<a href="#">HB 2829</a>	Assigned To S C Life Health Insurance Subcommittee 2020 02 11	In House	5.3% 58.5%

#### Title

Insurance, Health, Accident - As introduced, enacts the "Mental Healthcare and Substance Abuse Services Network Adequacy Act." - Amends TCA Title 4; Title 33; Title 47; Title 56 and Title 71.

#### Primary Sponsors

John Clemmons

**Bill Summary:** Allows (but does not require) the Commissioner to determine the sufficiency of network adequacy through certain criteria, such as telehealth or telemedicine for mental healthcare and substance use disorder.

State	Bill Number	Last Action	Status	FN Outlook
TN	<a href="#">SB 2328</a>	Passed On Second Consideration Refer To Senate Commerce And Labor Committee 2020 02 10	In Senate	91.9% 69.4%

**Title**  
Insurance, Health, Accident - As introduced, enacts the "Mental Healthcare and Substance Abuse Services Network Adequacy Act."  
- Amends TCA Title 4; Title 33; Title 47; Title 56 and Title 71.

**Primary Sponsors**  
Sara Kyle

**Bill Summary:** Allows (but does not require) the Commissioner to consider telehealth in determining network adequacy.

## Other (1)

State	Bill Number	Last Action	Status	FN Outlook
MS	<a href="#">HB 1470</a>	Referred To Ways And Means 2020 02 17	In House	9.7% 80.3%

**Title**  
Income tax; authorize a credit for employers who pay the cost of a qualified wellness program.

**Description**  
An Act To Provide An Income Tax Credit To Employers Who Pay Costs In Connection With A Qualified Wellness Program In The Amount Of 50% Of The Costs Paid In Connection With The Qualified Wellness Program; To Limit The Amount Of The Credit That An Employer May Claim In Any One Taxable Year; To Provide That The Aggregate Amount Of Tax Credits That May Be Awarded Under This Act In Any One Calendar Year Shall Not Exceed \$1,000,000.00; To Provide The Components That A Wellness Program Must Have To Qualify For The Credit; To Provide That If The Amount Of The Allowable Credit Exceeds The Income Tax Liability Of The Employer In A Taxable Year, The Amount Of The Excess Shall Not Be Refundable Or Carried Forward To Any Other Taxable Year; To Require The State Department Of Health, Office Of Preventive Health, To Certify Employers' Eligibility For The Credit; To Provide That \$30,000.00 Shall Be Appropriated Annually To The Department Of Health, Office Of Preventive Health, To Assist In The Discharge Of The Office'S Duties Under This Act; And For Related Purposes.

**Primary Sponsors**  
Jody Stevenson

**Bill Summary:** LProvides an income tax credit to employers who pay costs in connection with a qualified wellness program in the amount of 50% of the cost paid in connection with the plan. A wellness plan must have three of four components, one of which is a supportive environment component which includes access to healthy options at the workplace, such as access to telehealth services.

## Private Payer Reimbursement (5)

State

MS

Bill Number

HB 474

Last Action

Referred To Insurance Public Health And  
Human Services 2020 02 03

Status

In House

FN Outlook

6.3%

80.9%

#### Title

Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs.

**Bill Summary:** LRequires state employees insurance plans to include coverage for telemedicine services.

#### Description

An Act To Create New Section 83-9-46.1, Mississippi Code Of 1972, To Require Health Insurance Carriers That Provide Coverage For Prescription Insulin Drugs To Cap The Total Amount That A Covered Person Is Required To Pay For A Covered Prescription Insulin Drug At An Amount Not To Exceed One Hundred Dollars Per Thirty-Day Supply Of Insulin, Regardless Of The Amount Or Type Of Insulin Needed To Fill The Covered Person'S Prescription; To Direct The Attorney General To Investigate Pricing Of Prescription Insulin Drugs That Are Made Available To Mississippi Consumers To Ensure Adequate Consumer Protections In Pricing Of Prescription Insulin Drugs And Whether Additional Consumer Protections Are Needed; To Provide That The Attorney General Shall Issue And Make Available To The Public, The Governor And The Legislature A Report Detailing His Or Her Findings From The Investigation Conducted Under This Act; To Bring Forward Section 25-15-9, Mississippi Code Of 1972, Which Provides For The State And School Employees Health Insurance Plan, For The Purpose Of Possible Amendment; To Bring Forward Section 83-9-46, Mississippi Code Of 1972, Which Provides That Health Insurance Policies And Plans Must Offer Coverage For Diabetes Treatments, For The Purpose Of Possible Amendment; And For Related Purposes.

#### Primary Sponsors

William Arnold

**Title**

Income tax; authorize a credit for employers who pay the cost of a qualified wellness program.

**Description**

An Act To Provide An Income Tax Credit To Employers Who Pay Costs In Connection With A Qualified Wellness Program In The Amount Of 50% Of The Costs Paid In Connection With The Qualified Wellness Program; To Limit The Amount Of The Credit That An Employer May Claim In Any One Taxable Year; To Provide That The Aggregate Amount Of Tax Credits That May Be Awarded Under This Act In Any One Calendar Year Shall Not Exceed \$1,000,000.00; To Provide The Components That A Wellness Program Must Have To Qualify For The Credit; To Provide That If The Amount Of The Allowable Credit Exceeds The Income Tax Liability Of The Employer In A Taxable Year, The Amount Of The Excess Shall Not Be Refundable Or Carried Forward To Any Other Taxable Year; To Require The State Department Of Health, Office Of Preventive Health, To Certify Employers' Eligibility For The Credit; To Provide That \$30,000.00 Shall Be Appropriated Annually To The Department Of Health, Office Of Preventive Health, To Assist In The Discharge Of The Office'S Duties Under This Act; And For Related Purposes.

**Primary Sponsors**

Joey Fillingane

**Bill Summary:** Provides a tax credit to employers who offer a qualified wellness program. It must include 3 of 4 specific components, one of which is a support environment component which can include access to on-site care and/or telehealth services.

**Title**  
Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs.

**Bill Summary:** Requires insurance for state employees provide coverage for telemedicine services.

**Description**  
An Act To Create New Section 83-9-46.1, Mississippi Code Of 1972, To Require Health Insurance Carriers That Provide Coverage For Prescription Insulin Drugs To Cap The Total Amount That A Covered Person Is Required To Pay For A Covered Prescription Insulin Drug At An Amount Not To Exceed \$100.00 Per Thirty-Day Supply Of Insulin, Regardless Of The Amount Or Type Of Insulin Needed To Fill The Covered Person'S Prescription; To Direct The Attorney General To Investigate Pricing Of Prescription Insulin Drugs That Are Made Available To Mississippi Consumers To Ensure Adequate Consumer Protections In Pricing Of Prescription Insulin Drugs And Whether Additional Consumer Protections Are Needed; To Provide That The Attorney General Shall Issue And Make Available To The Public, The Governor And The Legislature A Report Detailing His Or Her Findings From The Investigation Conducted Under This Act; To Bring Forward Section 25-15-9, Mississippi Code Of 1972, Which Provides For The State And School Employees Health Insurance Plan, For The Purpose Of Possible Amendment; To Bring Forward Section 83-9-46, Mississippi Code Of 1972, Which Provides That Health Insurance Policies And Plans Must Offer Coverage For Diabetes Treatments, For The Purpose Of Possible Amendment; And For Related Purposes.

**Primary Sponsors**  
Kevin Blackwell

**Title**  
Insurance, Health, Accident - As introduced, makes various changes to the law concerning the electronic delivery of health care and its coverage under insurance policies. - Amends TCA Title 56 and Section 63-1-155.

**Bill Summary:** Alters reimbursement requirements for telehealth delivered services, including requiring reimbursement of a facility fee. It also requires coverage of remote patient monitoring if covered by Medicare.

**Primary Sponsors**  
Robin Smith

State <b>TN</b>	Bill Number <b>SB 1892</b>	Last Action <b>Passed On Second Consideration Refer To Senate Commerce And Labor Committee 2020 01 30</b>	Status <b>In Senate</b>	FN Outlook 91.3% 75.1%
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**Title**  
Insurance, Health, Accident - As introduced, makes various changes to the law concerning the electronic delivery of health care and its coverage under insurance policies. - Amends TCA Title 56 and Section 63-1-155.

**Primary Sponsors**  
Art Swann

**Bill Summary:** Alters reimbursement requirements for telehealth delivered services, including requiring reimbursement of a facility fee. It also requires coverage of remote patient monitoring if covered by Medicare.

### Regulatory, Licensing & Advisory Boards (1)

State <b>MS</b>	Bill Number <b>HB 94</b>	Last Action <b>Title Suff Do Pass Comm Sub 2020 02 20</b>	Status <b>In House</b>	FN Outlook 13.7% 81.5%
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**Title**  
Center for Rural Health Innovation; establish to provide services and resources to rural hospitals.

**Description**  
An Act To Establish The Mississippi Center For Rural Health Innovation Within The Office Of Rural Health Of The State Department Of Health; To Provide That The Purpose Of The Center Is To Provide Services And Resources To Rural Hospitals, Critical Access Hospitals, Rural Health Clinics And Rural Federally Qualified Health Centers, Including Expert Analysis, Guidance, Training Opportunities And Telehealth Investment; To Specify The Minimum Areas Of Service To Be Provided By The Center; To Provide That The Department Shall Provide Personnel And Resources As Necessary To Provide For The Operation Of The Center, And Shall Be Authorized To Enter Into Contracts As Necessary To Carry Out The Purpose Of The Center; And For Related Purposes.

**Primary Sponsors**  
Sam Mims

**Bill Summary:** Creates the Mississippi Center for Rural Health Innovation within the Office of Rural Health of the State Department of Health. The purpose of the center is to provide services and resources to rural hospitals, critical access hospitals, rural health clinics and rural federally qualified health centers, including expert analysis, guidance, training opportunities and telehealth investment.



# South Central TRC Regulatory Update

Feb 28, 2020

Total State Regs Exported : 5

#	State	Ref #	Status	Type	Intro Date	Document Count
1	TN	09-21-19	Proposed Rule	Regular	Sep 24, 2019	2
<b>Issues</b> Cross-State Licensing						
<b>Labels</b>						
<b>Title</b>		<a href="#">Nursing, Board of   Sequence Number: 09-21-19</a>				
<b>Agency</b>		Nursing, Board of (TN)				
<b>Description</b>						
<b>Regulation Summary</b>		Amends rules related to the Enhanced Nurse's Licensure Compact.				

#	State	Ref #	Status	Type	Intro Date	Document Count
2	MS		Proposed Rule	Regular	Jul 30, 2019	2
<b>Issues</b> Online Prescribing						
<b>Labels</b>						
<b>Title</b>		<a href="#">Part 2635 Chapter 5: Practice of Telemedicine, Rule 5.9</a>				
<b>Agency</b>		STATE BOARD OF MEDICAL LICENSURE (MS)				
<b>Description</b>		New rule to establish practice requirements for physicians who wish to dispense medications via technology/automated systems via telemedicine.				
<b>Regulation Summary</b>		Establishes practice requirements for physicians who wish to dispense medications via technology/automated systems via telemedicine.				

#	State	Ref #	Status	Type	Intro Date	Document Count
3	MS		Proposed Rule	Regular	May 13, 2019	2
<b>Issues</b> Regulatory, Licensing & Advisory Boards						
<b>Labels</b>						
<b>Title</b>		<a href="#">Part 2635 Chapter 5: Practice of Telemedicine, Rule 5.1</a>				
<b>Agency</b>		STATE BOARD OF MEDICAL LICENSURE (MS)				
<b>Description</b>		Rule 5.1 is being modified to clarify the rules regarding the use of telemedicine.				
<b>Regulation Summary</b>		Amends the definition of telemedicine to include "store and forward" and clarify that the patient must be in a separate location and the interaction must replicate the experience of in-person care. It also provides a revised definition for "emergency telemedicine".				

#	State	Ref #	Status	Type	Intro Date	Document Count
4	MS		Proposed Rule	Regular	May 13, 2019	2
<b>Issues</b> Regulatory, Licensing & Advisory Boards						
<b>Labels</b>						
<b>Title</b>		<a href="#">Part 2635 Chapter 5: Practice of Telemedicine, Rule 5.7</a>				
<b>Agency</b>		STATE BOARD OF MEDICAL LICENSURE (MS)				
<b>Description</b>		Rule 5.7 is being modified to clarify the rules regarding the use of telemedicine in the consultation process with mid-level providers in a hospital setting.				
<b>Regulation Summary</b>		Amends language related to consultation between physicians and APRNs using emergency telemedicine.				

#	State	Ref #	Status	Type	Intro Date	Document Count
5	MS		Proposed Rule	Regular	Apr 01, 2019	3
<b>Issues</b>		Medicaid Reimbursement				
<b>Labels</b>						
<b>Title</b>	<a href="#">Title 23: Division of Medicaid, Part 212: Rural Health Clinics, Chapter 1: General, Rule 1.1: Provider Enrollment Requirements, Rule 1.2: Service Limits, Rule 1.3: Covered and Non-Covered Services, Rule 1.4: Reimbursement Methodology, Rule 1.5: Documentation Requirements, Rule 1.6: Co-Mingling, Rule 1.7: Pregnancy Related Eligibles and Rule 1.8: Early and Periodic Screening, Diagnosis, and Treatment (EPSDT).</a>					
<b>Agency</b>	DIVISION OF MEDICAID (MS)					
<b>Description</b>	<p>This administrative code filing is being submitted to allow the Division of Medicaid to reimburse an RHC the encounter rate for the administration of certain categories of physician administered drugs (PADS) referred to as Clinician Administered Drug and Implantable Drug System Devices (CADDs), reimbursed under the pharmacy benefit, effective to correspond with SPA 18-0013 eff. 07/01/18 and to allow Licensed Professional Counselors (LPCs) and Board Certified Behavior Analysts (BCBAs) to provide mental health services in an RHC .</p>					
<b>Regulation Summary</b>	Clarifies the originating site facility fee for a Rural Health Clinic (RHC).					