

AN ACT

relating to the provision of telemedicine medical services in a school-based setting, including the reimbursement of providers under the Medicaid program for those services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 531.0217, Government Code, is amended by adding Subsections (c-4) and (g-1) and amending Subsection (g) to read as follows:

(c-4) The commission shall ensure that Medicaid reimbursement is provided to a physician for a telemedicine medical service provided by the physician, even if the physician is not the patient's primary care physician or provider, if:

(1) the physician is an authorized health care provider under Medicaid;

(2) the patient is a child who receives the service in a primary or secondary school-based setting;

(3) the parent or legal guardian of the patient provides consent before the service is provided; and

(4) a health professional is present with the patient during the treatment.

(g) If a patient receiving a telemedicine medical service has a primary care physician or provider and consents or, if appropriate, the patient's parent or legal guardian consents to the notification, the commission shall require that the primary care

1 physician or provider be notified of the telemedicine medical
2 service for the purpose of sharing medical information. In the case
3 of a service provided to a child in a school-based setting as
4 described by Subsection (c-4), the notification, if any, must
5 include a summary of the service, including exam findings,
6 prescribed or administered medications, and patient instructions.

7 (g-1) If a patient receiving a telemedicine medical service
8 in a school-based setting as described by Subsection (c-4) does not
9 have a primary care physician or provider, the commission shall
10 require that the patient's parent or legal guardian receive:

11 (1) the notification required under Subsection (g);
12 and

13 (2) a list of primary care physicians or providers
14 from which the patient may select the patient's primary care
15 physician or provider.

16 SECTION 2. If before implementing any provision of this Act
17 a state agency determines that a waiver or authorization from a
18 federal agency is necessary for implementation of that provision,
19 the agency affected by the provision shall request the waiver or
20 authorization and may delay implementing that provision until the
21 waiver or authorization is granted.

22 SECTION 3. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 1878 was passed by the House on May 8, 2015, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1878 was passed by the Senate on May 21, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor