

By Senator Bean

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1 A bill to be entitled
2 An act relating to telehealth; creating s. 408.61,
3 F.S.; creating the Telehealth Task Force within the
4 Agency for Health Care Administration; requiring the
5 agency to use existing and available resources to
6 administer and support the task force; providing for
7 the membership of the task force; requiring the task
8 force to compile and analyze certain data and to
9 conduct a comparative analysis of health insurance
10 coverage available for telehealth services and for in-
11 person treatment; providing meeting requirements;
12 requiring the task force to submit a report to the
13 Governor and Legislature by a certain date; providing
14 for the repeal of the section; creating s. 456.51,
15 F.S.; authorizing certain licensed or certified health
16 care professionals to provide telehealth services;
17 defining the term "telehealth"; providing an effective
18 date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 408.61, Florida Statutes, is created to
23 read:

24 408.61 Telehealth Task Force.—

25 (1) The Telehealth Task Force is created within the agency.
26 The agency shall use existing and available resources to
27 administer and support the activities of the task force under
28 this section.

29 (2) Members of the task force shall serve without
30 compensation and are not entitled to reimbursement for per diem
31 or travel expenses. The task force shall consist of the
32 following 19 members:

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33 (a) The Secretary of Health Care Administration or his or
34 her designee, who shall serve as the chair of the task force.

35 (b) The State Surgeon General or his or her designee.

36 (c) Three representatives of hospitals or facilities
37 licensed under chapter 395, three representatives of health
38 insurers that offer coverage of telehealth services, two
39 representatives of organizations that represent health care
40 facilities, and two representatives of entities that create or
41 sell telehealth products, all appointed by the Secretary of
42 Health Care Administration.

43 (d) Five health care practitioners, each of whom practices
44 in a different area of medicine, and two representatives of
45 organizations that represent health care practitioners, all
46 appointed by the State Surgeon General.

47 (3) The task force shall compile and analyze data and
48 information on the following:

49 (a) The frequency and extent of the use of telehealth
50 technology and equipment by health care practitioners and health
51 care facilities nationally and in this state.

52 (b) The costs and cost savings associated with using
53 telehealth technology and equipment.

54 (c) The types of telehealth services available.

55 (d) The extent of available health insurance coverage for
56 telehealth services. The task force shall conduct a comparative
57 analysis of such coverage to available coverage for in-person
58 services. The analysis must include:

59 1. Covered medical or other health care services.

60 2. A description of payment rates for such telehealth
61 services and whether they are below, equal to, or above payment

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62 rates for in-person services.

63 3. Annual and lifetime dollar maximums on coverage for
64 telehealth and in-person services.

65 4. Copayment, coinsurance, and deductible amounts; policy
66 year, calendar year, lifetime, or other durational benefit
67 limitations; and maximum benefits for telehealth and in-person
68 services.

69 5. Any unique conditions imposed as a prerequisite to
70 obtaining coverage for telehealth services.

71 (e) Barriers to implementing the use of, using, or
72 accessing telehealth services.

73 (4) The task force shall convene its first meeting by
74 September 1, 2016, and shall meet as often as necessary to
75 fulfill its responsibilities under this section. Meetings may be
76 conducted in person, by teleconference, or by other electronic
77 means.

78 (5) The task force shall submit a report by June 30, 2017,
79 to the Governor, the President of the Senate, and the Speaker of
80 the House of Representatives which includes its findings,
81 conclusions, and recommendations.

82 (6) This section is repealed effective December 1, 2017.

83 Section 2. Section 456.51, Florida Statutes, is created to
84 read:

85 456.51 Telehealth.—

86 (1) A health care practitioner, a person certified under
87 part III of chapter 401, or a person certified under part IV of
88 chapter 468 who is practicing within the scope of his or her
89 license or certification may provide telehealth services. A
90 practitioner or person who is not a physician, but who provides

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91 telehealth services within the scope of his or her license or
92 certification, may not be considered to be practicing medicine
93 without a license.

94 (2) As used in this section, the term "telehealth" means
95 the use of synchronous or asynchronous telecommunications
96 technology by a health care practitioner, a person certified
97 under part III of chapter 401, or a person certified under part
98 IV of chapter 468 to provide medical or other health care
99 services, including, but not limited to, patient assessment,
100 diagnosis, consultation, treatment, or remote monitoring; the
101 transfer of medical or health data; patient and professional
102 health-related education; the delivery of public health
103 services; and health care administration functions.

104 Section 3. This act shall take effect July 1, 2016.