

FINAL BILL REPORT

SHB 1708

C 126 L 22
Synopsis as Enacted

Brief Description: Concerning facility fees for audio-only telemedicine.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Riccelli, Bateman, Macri, Tharinger and Pollet).

House Committee on Health Care & Wellness
Senate Committee on Health & Long Term Care

Background:

Audio-only telemedicine is the delivery of health care services through the use of audio-only technology, permitting real-time communication between a patient at the patient's physical location (the "originating site") and a health care provider at a different physical location (the "distant site"), for the purpose of diagnosis, consultation, or treatment.

In addition to charging professional fees for provider services, certain originating sites for audio-only telemedicine may charge a separate facility fee for infrastructure costs and preparation of the patient, subject to certain conditions. Distant sites and hospitals acting as originating sites may not charge the following payors a facility fee for the use of audio-only telemedicine: a health plan offered by a health carrier; a health plan offered to school or state employees; a Medicaid managed care plan; or a behavioral health administrative services organization.

Audio-only telemedicine does not include the use of facsimile or electronic mail or the delivery of health care services that are customarily delivered by audio-only technology and customarily not billed as separate services by the provider, such as the sharing of laboratory results.

Hospitals are facilities licensed by the Department of Health (DOH) to provide accommodations and services over a continuous period of 24 hours or more for patient observation, diagnosis, or care. To obtain and maintain a license, a hospital must meet

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DOH standards related to patient care, medical staff, infection control, and mandatory reporting requirements. In the event that a DOH investigation or survey identifies noncompliance with DOH standards, the DOH may require the hospital to submit a plan of correction to address each of the deficiencies. In addition, the DOH is authorized to deny, suspend, revoke, or refuse to renew a license or provisional license.

Summary:

A hospital that is an originating site or a distant site for audio-only telemedicine may not charge a facility fee, regardless of payor.

Votes on Final Passage:

House	97	0
Senate	47	0

Effective: June 9, 2022