

House Bill 310

By: Representatives Rogers of the 26th and Knox of the 24th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to enact the "Georgia Telemedicine Act"; to provide for a short
3 title; to provide for definitions; to provide for legislative intent; to provide that no health
4 insurance policy shall require face-to-face contact between a health care provider and a
5 patient as a condition for payment for services; to provide for conditions, exceptions, and
6 limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
10 generally, is amended by adding a new Code Section 33-24-56.4 to read as follows:

11 "33-24-56.4.

12 (a) This Code section shall be known and may be cited as the 'Georgia Telemedicine Act.'

13 (b) As used in this Code section, the term:

14 (1) 'Health benefit policy' means any individual or group plan, policy, or contract for
15 health care services issued, delivered, issued for delivery, executed, or renewed in this
16 state, including, but not limited to, those contracts executed by the State of Georgia on
17 behalf of state employees under Article 1 of Chapter 18 of Title 45, by an insurer.

18 (2) 'Insurer' means an accident and sickness insurer, fraternal benefit society, hospital
19 service corporation, medical service corporation, health care corporation, health
20 maintenance organization, preferred provider organization, provider sponsored health
21 care corporation, managed care entity, or any similar entity authorized to issue contracts
22 under this title or to provide health benefit policies.

23 (3) 'Telemedicine' means the practice of health care delivery, diagnosis, consultation,
24 treatment, transfer of medical data, or exchange of medical education information by
25 means of audio, video, or data communications. Standard telephone, facsimile

1 transmissions, or both, in the absence of other integrated information and data, do not
2 constitute telemedicine services.

3 (c) It is the intent of the General Assembly to end geographic discrimination in health care
4 delivery by recognizing the application of telemedicine for covered services provided
5 within the scope of practice of a physician or other health care provider as a method of
6 delivery of medical care by which an individual shall receive medical services from a
7 health care provider without face-to-face contact with the provider.

8 (d) On and after July 1, 2005, no health benefit policy that is issued, amended, or renewed
9 shall require face-to-face contact between a health care provider and a patient as a
10 prerequisite for payment for services appropriately provided through telemedicine in
11 accordance with generally accepted health care practices and standards prevailing in the
12 applicable professional community at the time the services were provided. The coverage
13 required in this Code section may be subject to all terms and conditions of the plan agreed
14 upon among the enrollee or subscriber, the insurer, and the provider.

15 (e) Nothing in this Code section shall preclude any health professional, within the scope
16 of the health professional's practice, from employing the technology of telemedicine or
17 participating in the application of telemedicine within the health professional's practice or
18 under the direction of another health professional with such scope of practice. Such action
19 shall not be interpreted as practicing medicine without a license."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.