

Telehealth: What the Bill Does



Summary:

Comprehensively updates Oregon telehealth statutes, including all three legs of health care – physical, behavioral and oral health – the means of care delivery, and payment requirements for OHA and commercial insurance carriers.

Means of care:

- Audio only, video only, video or text-based media.
- Remote monitoring devices.
- Synchronous (live) and asynchronous.
- Landlines, wireless, or internet.
- During a declared emergency, via any commonly available technology.

“Telemedicine is the natural evolution of health care into the digital age, not another type of care.”

- National Committee for Quality Assurance (NCQA)

Provider Networks and Licensing:

- Scope of practice is the same for telehealth vs. in-person care.
- May practice across state lines, within the provider’s scope of practice.
- Payers cannot limit providers to in-person or telehealth-only care.
- Advance in-person consent to telehealth care may not be required.
- Pre-existing provider-patient relationship not required.
- Payers may not impose additional certification, location or training different from in-person care, or limit telehealth delivery to certain provider types.
- Medical assistants or other personnel need not be present in-person with patient.

Payment and Enrollee Benefits:

- All fee-for-service Medicaid, Coordinated Care Organizations, PEBB/OEBB and Oregon-regulated commercial insurance included.
- Payment at same rates as in-person care under fee-for-service contracts.
- Telehealth may be included within value-based or other innovative payment contracts.
- Payers must provide for special needs accessibility, and culturally and linguistically appropriate services just as they must for in-person services.
- Enrollee benefits – co-pays, deductibles, etc. – may not differentiate between telehealth and other means of care.

Emergency Clause:

Most provisions of the bill, specifically including payment and benefits requirements, already are in force via emergency COVID-19 rules and state voluntary agreements with commercial carriers. The emergency clause ensures continuity of care and benefits.