

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2021 REGULAR SESSION  
**Unofficial Document**

Amend printed copy of **HB 140/HCS 1**

On page 3, line 3, after "include" by inserting

":

1. " and by making "the" uppercase; and

On page 3, line 9, after "services;" by inserting

"or

2. Basic communication between a health care provider and a patient, including but not limited to appointment scheduling, appointment reminders, voicemails, or any other similar communication intended to facilitate the actual provision of healthcare services either in-person or via telehealth;;

and

On page 6, line 2, delete "or"; and

On page 6, line 3, after "network;" by inserting

"(g) Prohibit an insurer or managed care organization from utilizing audits for medical coding accuracy in the review of telehealth services specific to audio-only encounters;"; and

On page 10, line 22, after "(a) " by inserting "Except as provided in paragraph (b) of this subsection," and making "Covered" lowercase; and

On page 10, line 26, after "(b) " by inserting "For rural health clinics, federally

Amendment No. \_\_\_\_\_

Rep. \_\_\_\_\_

Committee Amendment \_\_\_\_\_

Floor Amendment \_\_\_\_\_

Adopted: \_\_\_\_\_

Rejected: \_\_\_\_\_

Signed: \_\_\_\_\_

LRC Drafter: \_\_\_\_\_

Date: \_\_\_\_\_

Doc. ID: XXXX

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qualified health centers, and federally qualified health center look-alikes, reimbursement for covered telehealth services and telehealth consultations shall:

1. To the extent permitted under federal law, include an originating site fee in an amount equal to that which is permitted under 42 U.S.C. sec. 1395m for Medicare-participating providers if the Medicaid beneficiary who received the telehealth service or telehealth consultation was physically located at the rural health clinic, federally qualified health center, or federally qualified health center look-alike at the time of service or consultation delivery and the provider of the telehealth service or telehealth consultation is not employed by the rural health clinic, federally qualified health center, or federally qualified health center look-alike; or
2. If the telehealth service or telehealth consultation provider is employed by the rural health clinic, federally qualified health center, or federally qualified health center look-alike, include a supplemental reimbursement paid by the Department for Medicaid Services in an amount equal to the difference between the actual reimbursement amount paid by a Medicaid managed care organization and the amount that would have been paid if reimbursement had been made directly by the department.

(c) "; and

On page 10, line 26, after "because" by inserting

":

1. " and making "an" uppercase; and

On page 11, line 1, after "occur" by inserting

"; and

2. A Medicaid-participating provider employed by a rural health clinic, federally

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qualified health center, of federally qualified health center look-alike was not physically located on the premises of the clinic or health center when the telehealth service or telehealth consultation was provided"; and

On page 12, between lines 21 and 22, by inserting

"(7) As used in this section:

- (a) "Federally qualified health center" means the same as in 42 U.S.C sec. 1396d;
- (b) "Federally qualified health center look-alike" means an organization that meets all of the eligibility requirements of a federally qualified health center but does not receive federal grants issued pursuant to 42 U.S.C. sec. 254b;
- (c) "Originating site" means the site at which a Medicaid beneficiary is physically located at the time a telehealth service or telehealth consultation is provided; and
- (d) "Rural health clinic" means the same as in 42 U.S.C. sec. 1395x."; and

On page 29, line 13, by deleting "," and inserting

":

- (a) "Federally qualified health center" means the same as in 42 U.S.C sec. 1396d;
- (b) "Federally qualified health center look-alike" means an organization that meets all of the eligibility requirements of a federally qualified health center but does not receive federal grants issued pursuant to 42 U.S.C. sec. 254b;
- (c) "Originating site" means the site at which a Medicaid beneficiary is physically located at the time a telehealth service or telehealth consultation is provided;
- (d) " in lieu thereof and making "telehealth" uppercase; and

On page 29, line 14, after "Act" by inserting

": and

- (e) "Rural health clinic" means the same as in 42 U.S.C. sec. 1395x"; and

On page 29, line 15, by deleting the bracket and strike through; and

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On page 29, line 20, after "and" by inserting ", except as provided in paragraph (b) of this subsection."; and

On page 29, line 20, by deleting "reimbursement rates shall be" and inserting "services shall be reimbursed"; and

On page 29, between lines 23 and 24, by inserting

"(b) Rural health clinics, federally qualified health centers, and federally qualified health center look-alikes shall be reimbursed as an originating site in an amount equal to that which is permitted under 42 U.S.C. sec. 1395m for Medicare-participating providers, if the insured was physically located at the rural health clinic, federally qualified health center, or federally qualified health center look-alike at the time of service or consultation delivery and the provider of the telehealth service or telehealth consultation is not employed by the rural health clinic, federally qualified health center, or federally qualified health center look-alike."; and

On page 30, line 14, by deleting "and"

On page 30, line 19, by deleting "and"; and

On page 30, line 21, after "services" by inserting

"; and

3. Reimburse a rural health clinic, federally qualified health clinic, or federally qualified health center look-alike for covered telehealth services provided by a provider employed by the rural health clinic, federally qualified health clinic, or federally qualified health center look-alike, regardless of whether the provider was physically located on the premises of the rural health clinic, federally qualified health clinic, or federally qualified health clinic look-alike when the telehealth service was provided; and

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(c) *May utilize audits for medical coding accuracy in the review of telehealth services specific to audio-only encounters*".