

1 AN ACT relating to Medicaid coverage for remote ultrasound and fetal nonstress
2 tests.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) As used in this section, "ultrasound" means the use of ultrasonic waves for*
7 *diagnostic or therapeutic purposes, specifically to monitor a developing fetus.*

8 *(2) The Department for Medicaid Services and any managed care organization with*
9 *which the department contracts for delivery of Medicaid services shall provide*
10 *coverage for remote ultrasound procedures and remote fetal nonstress tests when*
11 *the patient is in a residence or other off-site location from the health care*
12 *provider and the same standard of care is met.*

13 *(3) Remote ultrasounds and remote fetal nonstress tests shall only be reimbursable*
14 *when the health care provider uses digital technology:*

15 *(a) To collect medical and other forms of health data from a patient and*
16 *electronically transmit that information securely to a health care provider in*
17 *a different location for interpretation and recommendation;*

18 *(b) That is compliant with the federal Health Insurance Portability and*
19 *Accountability Act of 1996, 42 U.S.C. sec. 1320d et seq.; and*

20 *(c) Approved by the federal Food and Drug Administration.*

21 *(4) The Cabinet for Health and Family Services shall promulgate administrative*
22 *regulations in accordance with KRS Chapter 13A necessary to implement this*
23 *section.*

24 ➔Section 2. If the Cabinet for Health and Family Services or the Department for
25 Medicaid Services determines that a state plan amendment, waiver, or any other form of
26 approval or authorization from a federal agency is necessary prior to the implementation
27 of Section 1 of this Act, the cabinet or department shall, within 90 days after the effective

1 date of this Act, request the state plan amendment, waiver, approval, or authorization and
2 shall only delay full implementation of those provisions for which a state plan
3 amendment, waiver, approval, or authorization was deemed necessary until the state plan
4 amendment, waiver, approval, or authorization is granted. The cabinet shall, in
5 accordance with KRS 205.525, provide a copy of any state plan amendment, waiver, or
6 other approval or authorization submitted pursuant to this section to the Legislative
7 Research Commission for referral to the Interim Joint Committee on Health Services and
8 the Interim Joint Committee on Appropriations and Revenue, and provide an update on
9 the status or any application submitted pursuant to this section upon request.