

**SENATE BILL NO. 2294**

Introduced by

Senators Nelson, Mathern, Oehlke

Representative Ekstrom

1 A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to  
2 chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage for  
3 telemedicine.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 26.1-36 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Telemedicine.**

- 8 1. An insurance company, nonprofit health service corporation, or health maintenance  
9 organization may not deliver, issue, execute, or renew any hospital, surgical,  
10 medical, or major medical benefit policy on an individual, group, blanket franchise,  
11 or association basis unless the policy, contract, or evidence of coverage provides  
12 coverage for telemedicine.
- 13 2. Telemedicine coverage required under this section must be provided in a manner  
14 determined in consultation with the attending physician and the patient. The  
15 coverage may be subject to annual deductibles and coinsurance provisions as may  
16 be determined appropriate and as are consistent with those established for other  
17 benefits under the plan or coverage.
- 18 3. Coverage required under this section may not:
- 19 a. Deny to a patient eligibility, or continued eligibility, to enroll or to renew  
20 coverage under the terms of the plan, solely for the purpose of avoiding the  
21 requirements of this section; or
- 22 b. Penalize or otherwise reduce or limit the reimbursement of an attending  
23 provider, or provide incentives to an attending provider, to induce the provider

1 to provide care to an individual participant or beneficiary in a manner  
2 inconsistent with this section.

3 4. As used in this section:

- 4 a. "Telecommunications services" means providing the means of transmission,  
5 between or among points specified by the user, of information of the user's  
6 choosing, without change in the form or content of the information as sent and  
7 received, including two-way video or data messages.
- 8 b. "Telemedicine" means the use of telecommunications services to link health  
9 care practitioners and patients in different locations. Telemedicine includes  
10 any of the following provided through the use of telecommunications services:
- 11 (1) Consultation or office visit with a licensed health care practitioner;  
12 (2) Individual psychotherapy;  
13 (3) Pharmacological management service; or  
14 (4) Emergency services.

15 **SECTION 2.** A new section to chapter 54-52.1 of the North Dakota Century Code is  
16 created and enacted as follows:

17 **Uniform group insurance program - Telemedicine.** The board shall provide  
18 coverage under either a contract for insurance pursuant to section 54-52.1-04 or under a  
19 self-insurance plan pursuant to section 54-52.1-04.2 for telemedicine services in the same  
20 manner as provided under section 1 of this Act.