

Effective 5/1/2024

26B-3-123 Reimbursement of telemedicine services and telepsychiatric consultations.

(1) As used in this section:

- (a) "Telehealth services" means the same as that term is defined in Section 26B-4-704.
- (b) "Telemedicine services" means the same as that term is defined in Section 26B-4-704.
- (c) "Telepsychiatric consultation" means a consultation between a physician or physician assistant and a board certified psychiatrist, both of whom are licensed to engage in the practice of medicine or physician assistant services in the state, that utilizes:
 - (i) the health records of the patient, provided from the patient or the referring physician or physician assistant;
 - (ii) a written, evidence-based patient questionnaire; and
 - (iii) telehealth services that meet industry security and privacy standards, including compliance with the:
 - (A) Health Insurance Portability and Accountability Act; and
 - (B) Health Information Technology for Economic and Clinical Health Act, Pub. L. No. 111-5, 123 Stat. 226, 467, as amended.

(2) This section applies to:

- (a) a managed care organization that contracts with the Medicaid program; and
 - (b) a provider who is reimbursed for health care services under the Medicaid program.
- (3) The Medicaid program shall reimburse for telemedicine services at the same rate that the Medicaid program reimburses for other health care services.
- (4) The Medicaid program shall reimburse for audio-only telehealth services as specified by division rule.
- (5) The Medicaid program shall reimburse for telepsychiatric consultations at a rate set by the Medicaid program.

Amended by Chapter 113, 2024 General Session