

28 (1) As used in this section:

29 (a) "Mental health condition" means a mental disorder or a substance-related disorder
30 that falls under a diagnostic category listed in the Diagnostic and Statistical Manual, as
31 periodically revised.

32 (b) "Telemedicine services" means the same as that term is defined in Section
33 26-60-102.

34 (2) Notwithstanding the provisions of Section 31A-22-618.5, a health benefit plan
35 offered in the individual market, the small group market, or the large group market shall:

36 (a) provide coverage for:

37 (i) telemedicine services that are covered by Medicare; and

38 (ii) treatment of a mental health condition through telemedicine services if:

39 (A) the health benefit plan provides coverage for the treatment of the mental health
40 condition through in-person services; and

41 (B) the health benefit plan determines treatment of the mental health condition through
42 telemedicine services meets the appropriate standard of care; ~~and~~

43 (b) reimburse a network provider that provides the telemedicine services described in
44 Subsection (2)(a) at a negotiated commercially reasonable rate[-]; and

45 (c) for a health benefit plan entered into or renewed on or after January 1, 2024, if a
46 network provider also provides health care services at an in-person location in the state,
47 reimburse the telemedicine services described in Subsection (2)(a) that are delivered by the
48 network provider ~~H→~~ , other than for telemedicine services related to urgent care as defined in
48a 29 C.F.R. Sec. 2560.503-1, ←H at a rate that is at least 90% of the rate that is paid to the network
48b provider for
49 the same health care service that is delivered in-person.

50 (3) (a) Notwithstanding Section 31A-45-303, a health benefit plan providing coverage
51 under Subsection (2)(a) may not impose originating site restrictions, geographic restrictions, or
52 distance-based restrictions.

53 (b) A network provider that provides the telemedicine services described in Subsection
54 (2)(a) may utilize any synchronous audiovisual technology for the telemedicine services that is
55 compliant with the federal Health Insurance Portability and Accountability Act of 1996.