



Bulletin 20-07

TO: ALL HEALTH CARE INSURERS IN THE STATE OF ALASKA AND OTHER INTERESTED PARTIES

RE: CHANGES TO COVERAGE FOR TELEHEALTH

This bulletin summarizes the changes made to Alaska insurance law (AS 21.42.422) resulting from the passage of SCS HB 29(HSS) am S in the second session of the 31<sup>st</sup> Legislature that was signed into law by the Governor on March 16, 2020. This bulletin is for informational purposes only and is not intended to be a full analysis of the statutory change to the insurance code, and a statement in this bulletin does not supersede or modify in any way the statutory provisions of the bill. Please review the bill carefully and the rest of Alaska's insurance laws to assure your compliance when transacting insurance business in Alaska.

The new law may be found at: <http://www.legis.state.ak.us/basis/start.asp>. Enter the bill number HB29 to find the full text and legislative history of the bill. You may obtain a copy of the bill by contacting the Alaska Legislative Information Office.

**Please note that this bill has an IMMEDIATE effective date of 3/17/2020.**

The bill revises AS 21.42.422 to expand telehealth coverage to all covered services of health care insurance plans in the individual and group markets subject to Title 21. Services must be provided by a health care provider licensed in Alaska. A prior in-person visit must not be required.

Insurers are required to implement the requirements of AS 21.42.422 immediately. The division expects insurers to review their insurance contracts and make the necessary form filings to implement these changes by May 17, 2020 or as soon as practicable.

Insurers are reminded of the following:

- AS 21.07.030 requires that if a health care insurer provides for services through a network, the health care insurer shall also offer a non-network option to covered persons. This requirement is applicable to telehealth. Consumers must be able to access telehealth services from both network and non-network providers.
- AS 21.42.422 does not require health care providers to use a particular technology platform, such as an insurer's proprietary software for services to be covered. Health care providers must use a HIPAA compliant service to protect consumer privacy.
- The statute does not limit the location of services for telehealth. Within reason, if a service is covered when in-person the service should also be covered when performed via telehealth.

- The federal Mental Health Parity and Addiction Equity Act requires that quantitative and non-quantitative elements must be comparative between medical/surgical and behavioral health services.

Questions relating to this bulletin can be referred to Sarah Bailey, Life and Health Supervisor at [sarah.bailey@alaska.gov](mailto:sarah.bailey@alaska.gov).

Dated March 17, 2020



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Lori Wing-Heier, Director