

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

Telemedicine.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to the practice of telemedicine and health
2 insurance; prohibiting health insurers from requiring
3 physicians to provide medical services in person; amending
4 rulemaking authority of the board of medicine; providing
5 licensing and insurance requirements for persons practicing
6 medicine in Wyoming via telemedicine; and providing for an
7 effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 26-20-401 is created to read:

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ARTICLE 4 - TELEMEDICINE PARITY

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2 **26-4-401. Telemedicine; payment of claims.**

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4 No individual or group health insurance policy providing
5 coverage on an expense incurred basis, individual or group
6 service or indemnity type contracts issued by any insurer
7 including any nonprofit corporation or individual or group
8 service contracts issued by a health maintenance
9 organization, which is issued, amended or renewed after
10 June 30, 2010 shall require face-to-face contact between a
11 health care provider and a patient for services
12 appropriately provided through telemedicine, provided that
13 the services were provided in accordance with rules and
14 regulations of the board of medicine pursuant to W.S. 33-
15 26-202(b)(xix). All other terms and conditions of the
16 contract agreed upon between the policyholder or contract
17 holder and the insurer shall apply.

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19 **Section 2.** W.S. 33-26-202(b)(xix) is amended to read:

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21 **33-26-301. License required.**

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1 (a) No person shall practice medicine in this state
2 without a license granted by the board, or as otherwise
3 provided by law. This subsection shall not apply to a
4 person practicing only through telemedicine pursuant to
5 W.S. 33-26-202(b)(xix).

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7 **33-26-202. Board; duties; general powers.**

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9 (b) The board is empowered and directed to:

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11 (xix) Adopt rules and regulations for the
12 practice of telemedicine. The rules shall provide that a
13 physician providing telemedicine services to a patient in
14 Wyoming shall:

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16 (A) Not be required to be licensed under
17 this act but shall be licensed and in good standing to
18 practice medicine in another state or the District of
19 Columbia;

20
21 (B) Be deemed to be practicing medicine in
22 the physician's state of licensure and, if licensed in more

1 than one (1) state, in the state where the physician is
2 licensed and has a primary place of business;

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4 (C) Shall register with the board and
5 submit evidence that the physician has professional
6 liability insurance, with coverage limits established by
7 the board, covering professional liability claims by the
8 physician's patients in Wyoming receiving telemedicine
9 services.

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11 **Section 3** This act is effective July 1, 2011.

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(END)