

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2631**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

6           **SECTION 1.** Section 83-9-351, Mississippi Code of 1972, is  
7 amended as follows:

8           83-9-351. (1) As used in this section:

9                   (a) "Employee benefit plan" means any plan, fund or  
10 program established or maintained by an employer or by an employee  
11 organization, or both, to the extent that such plan, fund or  
12 program was established or is maintained for the purpose of  
13 providing for its participants or their beneficiaries, through the  
14 purchase of insurance or otherwise, medical, surgical, hospital  
15 care or other benefits.



16 (b) "Health insurance plan" means any health insurance  
17 policy or health benefit plan offered by a health insurer, and  
18 includes the State and School Employees Health Insurance Plan and  
19 any other public health care assistance program offered or  
20 administered by the state or any political subdivision or  
21 instrumentality of the state. The term does not include policies  
22 or plans providing coverage for specified disease or other limited  
23 benefit coverage.

24 (c) "Health insurer" means any health insurance  
25 company, nonprofit hospital and medical service corporation,  
26 health maintenance organization, preferred provider organization,  
27 managed care organization, pharmacy benefit manager, and, to the  
28 extent permitted under federal law, any administrator of an  
29 insured, self-insured or publicly funded health care benefit plan  
30 offered by public and private entities, and other parties that are  
31 by statute, contract, or agreement, legally responsible for  
32 payment of a claim for a health care item or service.

33 (d) "Telemedicine" means the delivery of health care  
34 services such as diagnosis, consultation, or treatment through the  
35 use of \* \* \* HIPAA-compliant telecommunications systems, including  
36 information, electronic and communication technologies, remote  
37 monitoring technologies, and store-and-forward transfers.

38 (2) All health insurance and employee benefit plans in this  
39 state must provide coverage for telemedicine services to the same



40 extent that the services would be covered if they were provided  
41 through in-person consultation.

42 (3) A health insurance or employee benefit plan may charge a  
43 deductible, co-payment, or coinsurance for a health care service  
44 provided through telemedicine so long as it does not exceed the  
45 deductible, co-payment, or coinsurance applicable to an in-person  
46 consultation.

47 (4) A health insurance or employee benefit plan may limit  
48 coverage to health care providers in a telemedicine network  
49 approved by the plan.

50 (5) Nothing in this section shall be construed to prohibit a  
51 health insurance or employee benefit plan from providing coverage  
52 for only those services that are medically necessary, subject to  
53 the terms and conditions of the covered person's policy.

54 (6) In a claim for the services provided, the appropriate  
55 procedure code for the covered services shall be included with the  
56 appropriate modifier indicating interactive communication was  
57 used.

58 (7) The originating site is eligible to receive a facility  
59 fee, but facility fees are not payable to the distant site.

60 **SECTION 2.** This act shall take effect and be in force from  
61 and after July 1, 2021, and shall stand repealed from and after  
62 June 30, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**



1 AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE DEFINITION OF "TELEMEDICINE" FOR PROVISIONS OF LAW  
3 REGARDING COVERAGE OF TELEMEDICINE SERVICES; AND FOR RELATED  
4 PURPOSES.

