

# TELEHEALTH IN CALIFORNIA: Legislative History

(1996-2009)



**SB 1665** California's landmark Telemedicine Development Act of 1996 established requirements regarding telemedicine payment and provision of care.



**AB 442** Required DHCS to allow psychiatrists to receive fee-for-service telemedicine Medi-Cal reimbursement (to sunset June 30, 2004).



**AB 175** Expanded the definition of teleophthalmology by store and forward to include asynchronous transmissions by a licensed optometrist, for purposes of Medi-Cal reimbursement.



**SB 33** Increased the number of hours of experience required for a marriage and family therapist licensure applicant to no more than 375 hours of providing services via telemedicine.



**AB 2780** Established minimum standards for audio and visual telemedicine systems; required DHCS report on expanded application of telemedicine as potential Medi-Cal benefits.



**AB 354** Authorized reimbursement for teleophthalmology and teledermatology by store and forward by Medi-Cal (to sunset January 1, 2009).



**AB 2120** Extended the sunset date for Medi-Cal reimbursement of teleophthalmology and teledermatology by store and forward until January 1, 2013.



**SB 922** Excluded telephone conversations and electronic mail messages from telemedicine definition; clarified laws related to medical information/records and surrogate decisions.



**AB 2877** Removed sunset date for the provisions in the Telemedicine Act of 1996.



**AB 116** Applied telemedicine provisions to dentists, podiatrists, psychologists, marriage and family therapists, and clinical social workers.



**AB 329** Authorized the Medical Board of California to establish a pilot program to expand the practice of telemedicine.



**AB 1224** Added licensed optometrists to the practitioners subject to telemedicine provisions.



**AB 234** Imposed a 125-hour limitation on experience earned via telemedicine for marriage and family therapist's licensure examination purposes.



# TELEHEALTH IN CALIFORNIA: Legislative History

(2010-2022)



**AB 415** Updated the Telemedicine Act of 1996. Replaced term “telemedicine” with telehealth; broadened range of telehealth services; expanded telehealth providers to all licensed healthcare professionals; removed limits on the location; eliminated email/telephone ban; removed other Medi-Cal restrictions; removed sunset date for store-and-forward services; eased credentialing procedures; required consent.



**AB 744** Requires reimbursement, on the same basis, to the same extent and at the same rate as the same service provided in-person.



**AB 1264** Clarifies that an appropriate prior examination for purposes of prescribing does not require a synchronous interaction and can be achieved through all telehealth modalities.



**AB 1519** Specifies that all laws and regulations governing professional responsibility, unprofessional conduct and standards of practice apply to providers who provide telehealth services.



**AB 1494** Ensures telehealth including telephonic reimbursement during an emergency for Medi-Cal providers and enrolled community clinics.



**AB 133** Extended COVID-19 emergency Medi-Cal telehealth expansions until December 31, 2022. Also required the DHCS to convene a Telehealth Advisory Group to help inform long-term telehealth policies while protecting pre-COVID-19 policies, authorizing permanent RPM coverage, and incentivizing school-based telehealth.



**AB 457** Updated private payer law to remove contract specific language related to payment parity and also expanded patient choice protections relative to health plan notices regarding third-party telehealth providers.



**SB 801** Includes an associate clinical social worker and an associate professional clinical counselor in the definition of health care provider for purposes of telehealth.



**AB 1733** Clarified that telehealth provisions apply to all publicly supported programs under Medi-Cal, and PACE program; require telehealth practitioners to practice according the regulations relating to their profession.



**AB 809** Clarified consent requirements related to timing, method of collection, and documentation.



**AB 1174** Required Medi-Cal reimbursement for store and forward tele-dentistry.



**AB 93** Added an Associate Marriage and Family Therapist to the definition of a “health care provider” under statute that applies to telehealth.



**AB 2861** Allowed a licensed practitioner of the healing arts or a certified substance use disorder counselor to receive Medi-Cal reimbursement for substance use disorder services provided through telehealth.



**AB 2315** Required DHCS and Dept. of Education to develop guidelines for the use of telehealth in schools.



**SB 184** Ensures permanent Medi-Cal coverage of and payment parity for synchronous and asynchronous telehealth, including audio-only, for all providers, including FQHCs/RHCs. Limits ability to establish a provider-patient relationship to live video and creates new provider requirements related to consent, as well as requiring services to be offered via live video and in-person.



**AB 32** Creates specific exceptions to SB 184 (2022) Medi-Cal limitations, including allowing Medi-Cal providers, including FQHCs/RHCs, to establish a new patient relationship using audio-only telehealth if the visit is related to sensitive services or when the patient requests an audio-only modality or attests they do not have access to video.



**AB 1759** Includes associate professional clinical counselor trainees in the definition of health care provider for purposes of the provisions authorizing the delivery of telehealth. Also requires certain behavioral health provider applicants to complete 3 hours of telehealth training.



**AB 1982** Adds to private payer statutes regarding third-party telehealth providers that dental plans shall disclose information to patients related to any contracted third-party telehealth providers.

