

AN ACT relating to home healthcare telemonitoring services.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Department" means the Department for Medicaid Services;

(b) "Evidence-based best practices" means the integration of the best available research with clinical expertise in the context of patient characteristics and patient and family caregiver preferences;

(c) "Home health agency" has the same meaning as provided in KRS 216.935; and

(d) "Home telemonitoring services" means services that require:

1. Scheduled remote monitoring of data related to a patient's health, including but not limited to monitoring of the patient's blood pressure, heart rate, weight, blood sugar, and oxygen level, performed by a registered nurse licensed pursuant to KRS Chapter 314 or physician licensed pursuant to KRS Chapter 311;
2. Transmission of data to a home health agency licensed pursuant to KRS Chapter 216; and
3. The patient's informed consent to remote monitoring and treatment.

(2) (a) The department shall submit a waiver or waiver amendment for approval to the Centers for Medicare and Medicaid Services in order to provide coverage for medically necessary home telemonitoring services performed by a home health agency for a Medicaid beneficiary with:

1. Serious or chronic documented medical conditions that have resulted in or may result in frequent or recurrent hospitalizations and emergency room admissions;

2. A documented history of poor adherence to ordered medication regimens;
 3. A documented history of falls in the six (6) month period prior to evaluation of the need for home telemonitoring services;
 4. Limited or absent informal support systems;
 5. A documented history of challenges with access to care;
 6. A history of living alone or being home alone for extended periods of time; and
 7. Documented confirmation by the provider that home or direct-to-patient monitoring serves the needs of the patient.
- (3) The department shall establish coverage provisions and reimbursement criteria for home telemonitoring services based on evidence-based best practices.
- (4) The department shall ensure that clinical information gathered by a home health agency while providing home telemonitoring services is shared with the patient's treating health care professionals.
- (5) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A for the implementation and administration of this section.