

HB4412



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4412

Introduced 1/21/2022, by Rep. Kathleen Willis

SYNOPSIS AS INTRODUCED:

225 ILCS 150/5

Amends the Telehealth Act. Provides that the definition of "health care professional" includes athletic trainers.

LRB102 22343 SPS 31480 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Telehealth Act is amended by changing
5 Section 5 as follows:

6 (225 ILCS 150/5)

7 Sec. 5. Definitions. As used in this Act:

8 "Asynchronous store and forward system" means the
9 transmission of a patient's medical information through an
10 electronic communications system at an originating site to a
11 health care professional or facility at a distant site that
12 does not require real-time or synchronous interaction between
13 the health care professional and the patient.

14 "Distant site" means the location at which the health care
15 professional rendering the telehealth service is located.

16 "Established patient" means a patient with a relationship
17 with a health care professional in which there has been an
18 exchange of an individual's protected health information for
19 the purpose of providing patient care, treatment, or services.

20 "E-visit" means a patient-initiated non-face-to-face
21 communication through an online patient portal between an
22 established patient and a health care professional.

23 "Facility" includes a facility that is owned or operated

1 by a hospital under the Hospital Licensing Act or University
2 of Illinois Hospital Act, a facility under the Nursing Home
3 Care Act, a rural health clinic, a federally qualified health
4 center, a local health department, a community mental health
5 center, a behavioral health clinic as defined in 89 Ill. Adm.
6 Code 140.453, an encounter rate clinic, a skilled nursing
7 facility, a substance use treatment program licensed by the
8 Division of Substance Use Prevention and Recovery of the
9 Department of Human Services, a school-based health center as
10 defined in 77 Ill. Adm. Code 641.10, a physician's office, a
11 podiatrist's office, a supportive living program provider, a
12 hospice provider, home health agency, or home nursing agency
13 under the Home Health, Home Services, and Home Nursing Agency
14 Licensing Act, a facility under the ID/DD Community Care Act,
15 community-integrated living arrangements as defined in the
16 Community-Integrated Living Arrangements Licensure and
17 Certification Act, and a provider who receives reimbursement
18 for a patient's room and board.

19 "Health care professional" includes, but is not limited
20 to, physicians, physician assistants, optometrists, advanced
21 practice registered nurses, clinical psychologists licensed in
22 Illinois, prescribing psychologists licensed in Illinois,
23 dentists, occupational therapists, pharmacists, physical
24 therapists, clinical social workers, speech-language
25 pathologists, audiologists, hearing instrument dispensers,
26 athletic trainers, licensed certified substance use disorder

1 treatment providers and clinicians, and mental health
2 professionals and clinicians authorized by Illinois law to
3 provide mental health services, and qualified providers listed
4 under paragraph (8) of subsection (e) of Section 3 of the Early
5 Intervention Services System Act, dietitian nutritionists
6 licensed in Illinois, and health care professionals associated
7 with a facility.

8 "Interactive telecommunications system" means an audio and
9 video system, an audio-only telephone system (landline or
10 cellular), or any other telecommunications system permitting
11 2-way, synchronous interactive communication between a patient
12 at an originating site and a health care professional or
13 facility at a distant site. "Interactive telecommunications
14 system" does not include a facsimile machine, electronic mail
15 messaging, or text messaging.

16 "Originating site" means the location at which the patient
17 is located at the time telehealth services are provided to the
18 patient via telehealth.

19 "Remote patient monitoring" means the use of connected
20 digital technologies or mobile medical devices to collect
21 medical and other health data from a patient at one location
22 and electronically transmit that data to a health care
23 professional or facility at a different location for
24 collection and interpretation.

25 "Telehealth services" means the evaluation, diagnosis, or
26 interpretation of electronically transmitted patient-specific

1 data between a remote location and a licensed health care
2 professional that generates interaction or treatment
3 recommendations. "Telehealth services" includes telemedicine
4 and the delivery of health care services, including mental
5 health treatment and substance use disorder treatment and
6 services to a patient, regardless of patient location,
7 provided by way of an interactive telecommunications system,
8 asynchronous store and forward system, remote patient
9 monitoring technologies, e-visits, or virtual check-ins.

10 "Virtual check-in" means a brief patient-initiated
11 communication using a technology-based service, excluding
12 facsimile, between an established patient and a health care
13 professional. "Virtual check-in" does not include
14 communications from a related office visit provided within the
15 previous 7 days, nor communications that lead to an office
16 visit or procedure within the next 24 hours or soonest
17 available appointment.

18 (Source: P.A. 101-81, eff. 7-12-19; 101-84, eff. 7-19-19;
19 102-104, eff. 7-22-21.)