

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE DRH10217-MGa-106B* (03/15)

Short Title: Establish Statewide Telepsychiatry Program. (Public)

Sponsors: Representatives Martin, Burr, Avila, and Lambeth (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES,
3 DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
4 SUBSTANCE ABUSE SERVICES, TO DEVELOP AND ESTABLISH A STATEWIDE
5 TELEPSYCHIATRY PROGRAM.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** By no later than June 1, 2013, the Department of Health and Human
8 Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse
9 Services, shall develop and submit a plan for implementation of a statewide telepsychiatry
10 program to the Senate Appropriations Committee on Health and Human Services, the House
11 Appropriations Subcommittee on Health and Human Services, and the Joint Legislative
12 Oversight Committee on Health and Human Services. The plan shall be substantially similar to
13 the Albemarle Hospital Foundation telepsychiatry program currently operating in 12 hospitals
14 in eastern North Carolina and include at least all of the following:

- 15 (1) Specific steps to be taken by the Department, within a specified time period,
16 to establish and administer the program statewide.
17 (2) Program costs and rates of payment for telepsychiatry services.
18 (3) Recommendations for addressing liability issues related to participation in
19 telepsychiatry.

20 **SECTION 2.** There is appropriated from the General Fund to the Department
21 Health and Human Services, Division of Mental Health, Developmental Disabilities, and
22 Substance Abuse Services, the sum of two million dollars (\$2,000,000) for the 2013-2014 fiscal
23 year and the sum of two million dollars (\$2,000,000) for the 2014-2015 fiscal year. These funds
24 shall be used for the following purposes:

- 25 (1) To establish and administer the statewide telepsychiatry program authorized
26 in G.S. 122C-20.5 of the General Statutes.
27 (2) To purchase needed telepsychiatry equipment for State-owned hospitals
28 participating in the statewide telepsychiatry program.
29 (3) To contract with an outside vendor for management of the statewide
30 telepsychiatry program.

31 **SECTION 3.** Chapter 122C of the General Statutes is amended by adding a new
32 Article to read:

33 "Article 1B.

34 "Statewide Telepsychiatry Program.

35 "**§ 122C-20.5. Department to establish statewide telepsychiatry program.**

- 36 (a) The following definitions apply in this section:



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- 1 (1) Consultant Site. – The site at which the consulting provider is physically
2 located at the time the consulting provider delivers the acute mental health or
3 substance abuse care by means of telepsychiatry.
- 4 (2) Referring site. – The emergency department at which the patient is
5 physically located.
- 6 (3) Telepsychiatry. – The delivery of acute mental health or substance abuse
7 care, including diagnosis or treatment, by means of two-way real-time
8 interactive audio or video by a consulting provider at a consultant site to an
9 individual patient at a referring site. The term does not include the standard
10 use of telephones, facsimile transmissions, unsecured electronic mail, or a
11 combination of these in the course of care.
- 12 (4) Consulting provider. – A physician or other health care provider licensed in
13 this State to provide acute mental health or substance abuse care.
- 14 (b) The Division of Mental Health, Developmental Disabilities, and Substance Abuse
15 Services shall establish a statewide telepsychiatry program that allows referring sites to utilize
16 consulting providers at a consultant site to provide timely psychiatric assessment and rapid
17 initiation of treatment for patients at the referring site experiencing an acute mental health or
18 substance abuse crisis.
- 19 (c) The Commission shall adopt rules necessary to implement this section. The rules
20 shall specify at least all of the following:
- 21 (1) Requirements to ensure the health and safety of patients.
- 22 (2) Participation and equipment requirements for consultant sites, consulting
23 providers, and referring sites.
- 24 (3) Rates of payment for telepsychiatry services.
- 25 (d) The Department shall periodically evaluate the effectiveness of the statewide
26 telepsychiatry program."
- 27 **SECTION 4.** Section 2 of this act becomes effective July 1, 2013. Section 3 of this
28 act becomes effective January 1, 2014. The remainder of this act is effective when it becomes
29 law.