



TELEMEDICINE ACT

SECTION 1. DEFINITIONS.

(a) “Certification” means a voluntary, government-granted and nontransferable recognition to an individual who meets personal qualifications related to a lawful occupation as a healthcare professional.

(b) “Healthcare professional board” means a government agency, board, department or other government entity that regulates a lawful occupation as a healthcare professional and issues an occupational license or government certification to an individual.

(c) “License” is a nontransferable authorization in law for an individual to perform exclusively a lawful occupation based on meeting personal qualifications. It includes a military occupational specialty. In an occupation for which a license is required, it is illegal for an individual who does not possess a valid occupational license to perform the occupation.

(d) “Scope of practice” means the procedures, actions, processes and work that a person may perform under an occupational license or government certification issued in this or the state where the nexus of care is occurring.

(e) “Telehealth services” are the delivery of health care services, including telemedicine



services and other medical, emergency medical, and behavioral health services that do not use face-to-face consultation or direct contact between a health care provider and a patient.

Telehealth services are delivered through the use of telecommunications and information technology that supports the delivery of remote or long-distance health care services.

SECTION 2.

(a) The State's healthcare professional boards shall maintain consistent licensure and standards of care requirements between in-person and telemedicine-provided practices with the following exemptions:

(1) A health care professional licensed or certified in good standing in another jurisdiction shall be free to consult with a licensed peer health professional in this State without the need for any additional license issued by this State or state registration or approval, and

(2) A health care professional licensed or certified in good standing in this or another jurisdiction shall be free to consult, within his or her scope of practice, with a consenting patient using telecommunications without the need for any additional license, registration, or approval issued by this State, and without any requirement that the patient and professional be in each other's physical presence prior to such consultation. For services provided under this section, the nexus of care shall be deemed to be the provider's physical location.

(b) A healthcare provider who delivers services in good faith through the use of telehealth shall be held to the same standard of professional practice as a similar licensee of the same practice area or specialty would be if the provider were providing the same services in person. Nothing in this section shall create any new standard of care.

(c) The healthcare professional boards governing any healthcare provider covered by this section shall not adopt any rule, regulation, order, or other restriction imposing a more restrictive standard of professional practice or care for telehealth services than applies to in-person services.