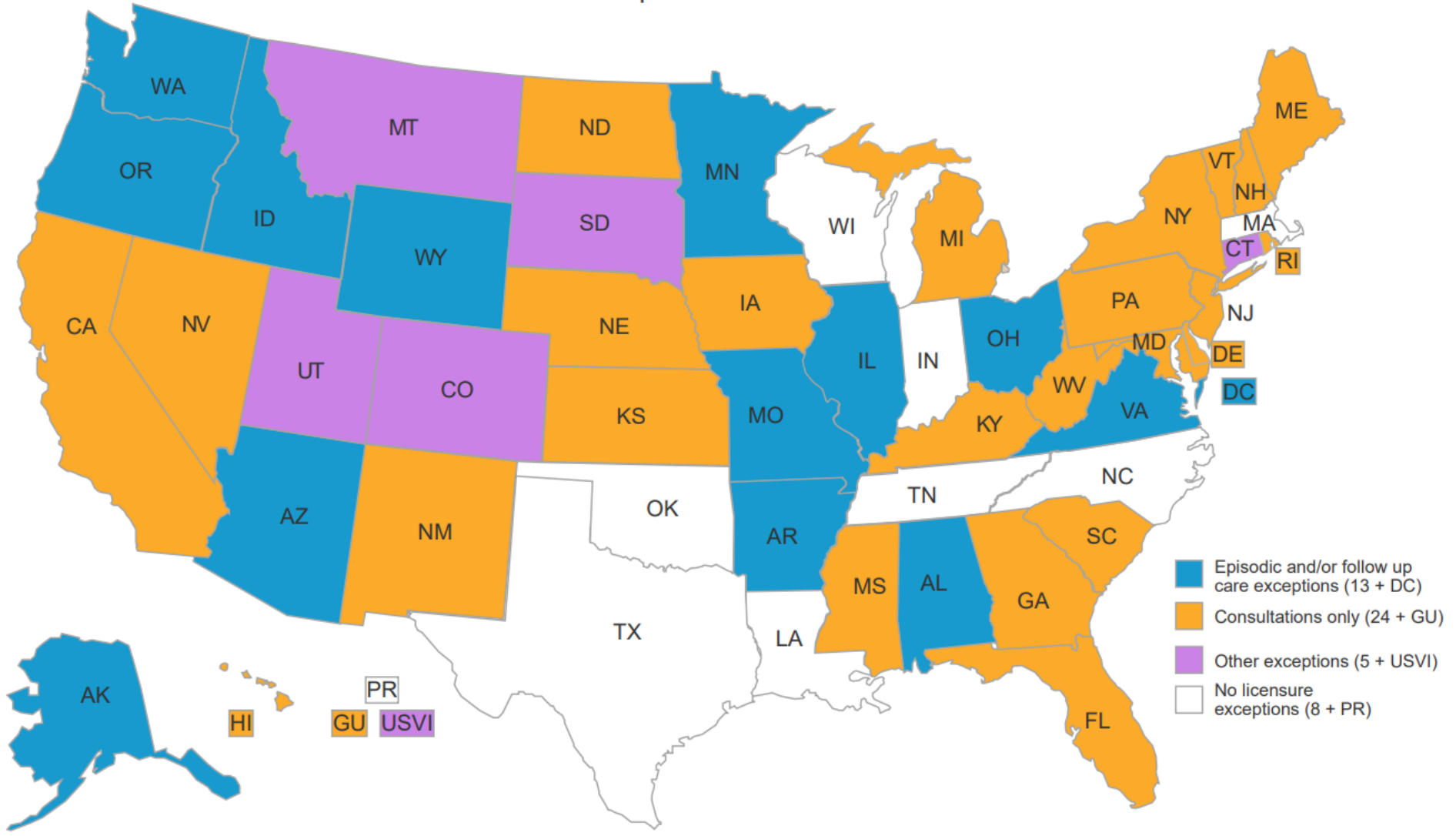


States with Episodic and/or Follow Up Care Licensure Exceptions

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FEDERATION OF
STATE MEDICAL BOARDS

States with Episodic and Follow Up Care Licensure Exceptions

- 13 states + DC have episodic and/or follow up care licensure exceptions
- 24 states + GU have exceptions for consultations only
- 5 + USVI states have licensure exceptions unrelated to follow up care or consultation
- 8 + PR states have no licensure exceptions

State	Detail	Citation
AL	Exceptions include “irregular or infrequent” telehealth care occurring less than 10 days in a calendar year or involving fewer than 10 patients in a calendar year or provided in consultation, with a physician licensed to practice medicine or osteopathy in the state.	AL Code § 34-24-702 & Senate Bill 272 (2022 Session)
AK	A physician licensed in another state may provide health care services through telehealth to a patient located in the state... extends only to (1) ongoing treatment or follow-up care related to health care services previously provided by the physician to the patient and applies only if <ul style="list-style-type: none"> • the physician and the patient have an established physician patient relationship; and • the physician has previously conducted an in-person visit with the patient; or • a visit regarding a suspected or diagnosed life-threatening condition for which the patient has been referred to the physician licensed in another state by a physician licensed in this state and that referral has been documented by the referring physician... 	AK House Bill 265 (2022 Session) and § 08.01.085
AZ	A health care provider who is not licensed to provide health care services in Arizona but who holds an active license to provide health care services in another jurisdiction and who provides telehealth services to a person located in Arizona is not subject to the registration requirements of this section if either of the following applies: ... To provide after-care specifically related to a medical procedure that was delivered in person in another state.	AZ Rev. Stat. § 36-3606
AR	An out-of-state physician utilizing an electronic medium who performs an act that is part of a patient care service that was initiated in Arkansas... is engaged in the practice of medicine... This section does not apply to: <ul style="list-style-type: none"> • The acts of a medical specialist located in another jurisdiction who provides only episodic consultation services. • The acts of a physician located in another jurisdiction who is providing consultation services to a medical school... • A service to be performed which is not available in the state; ... • Other acts exempted by the board by rule. 	AR Code Rev. § 17-95-206
CA	Consultation only. Licensure exceptions may apply to a practitioner located outside this state, when in actual consultation, whether within this state or across state lines, with a licensed practitioner of this state... Notwithstanding any other law, an eligible out-of-state physician and surgeon may practice medicine in the state if the practice is limited to delivering health care via telehealth to an eligible patient, which is a person that has an immediately life-threatening disease or condition	CA Business and Professions Code § 2060 CA Business and Professions Code § 2052.5
CO	Limited mental health exception. Limited licensure exemptions exist in CO Revised Statutes for certain mental health providers, including out-of-state practitioners as follows: A person who resides in another state and who is currently licensed or certified as a psychologist, marriage and family therapist, clinical social worker, professional counselor, or addiction counselor in that state to the extent that the licensed or certified person performs activities or services in this state, if the activities and services are: <ul style="list-style-type: none"> • Performed within the scope of the person’s license or certification; • Do not exceed twenty days per year in this state; 	Colo. Rev Stat § 12-245-217

	<ul style="list-style-type: none"> Disclosed to the public that the person is not licensed or certified in this state 	
CT	Other exception. Effective through June 30, 2024: Certain healthcare professionals licensed in other jurisdictions, with the necessary liability insurance, may practice telemedicine in the state but requires a “relevant order issued by the Commissioner of Public Health.”	CT HB 5596 (2021) & SB 2 (2022)
DE	Consultation only (but telemedicine registration available). Telehealth and telemedicine may be practiced without a health-care provider-patient relationship during: ... Episodic consultation by a specialist located in another jurisdiction who provides such consultation services at the request of a licensed health-care professional.	Del. Code Title 24, Ch. 60, § 6005
DC	The provisions of this chapter prohibiting the practice of a health occupation without a District of Columbia license, registration, or certification shall not apply: ... To an individual, licensed, registered, or certified to practice a health occupation in a state, who is providing care to an individual, an animal, or group for a <i>limited period of time</i> , or who is called from a state in professional consultation by or on behalf of a specific patient, animal, or client to visit, examine, treat, or provide advice regarding the specific patient...	D.C. Code § 3-1205.02
FL	Consultation only (but telemedicine registration available). A health care professional who is not licensed to provide health care services in this state but who holds an active license to provide health care services in another state or jurisdiction, and who provides health care services using telehealth to a patient located in this state, is not subject to the registration requirement under this § if the services are provided: ... In consultation with a health care professional licensed in this state who has ultimate authority over the diagnosis and care of the patient.	Fla. Stat. § 456.47
GA	Consultation only (but telemedicine license available). This Code section shall not apply to: The acts of a doctor of medicine or doctor of osteopathic medicine located in another state or foreign country who: <ul style="list-style-type: none"> Provides consultation services at the request of a physician licensed in this state; and Provides such services on an occasional rather than on a regular or routine basis; ... Provides consultation services in the case of an emergency; Provides consultation services without compensation, remuneration, or other expectation thereof; or Provides consultation services to a medical school which is located within this state and approved by the board 	GA OCGA Sec. 43-34.31
GU	Consultation only. A non-resident physician who is caring for a patient in Guam via telehealth is not required to have a Guam medical license if the consulting physician works directly with a local attending physician and is required to be licensed in the United States.	The Telemedicine Act (2008)
HI	Consultation only. A licensed out-of-state practitioner of medicine or surgery can utilize telehealth to consult with a Hawaii licensed physician or osteopathic physician as long as they don’t open an office or meet with patients in the state; the HI licensed provider retains control of the patient; and the laws and rules relating to contagious diseases are not violated.	HI Rev. Stat. § 453-2(3-4)
ID	Licensure exceptions include: <ul style="list-style-type: none"> Established patient-provider relationships with a patient who is in Idaho temporarily for business, work, education, vacation, or other reasons; Established patient-provider relationships with a patient and provides temporary or short-term follow-up health care services to ensure continuity of care; If the provider is employed by or contracted with an Idaho facility or hospital to provide care services for which the provider has been privileged and credentialed; Care rendered in a time of disaster and follow-up care rendered after to ensure continuity of care; Providing health care services in preparation for a scheduled in-person care visit; or Consultation with, or patient referral to an Idaho licensed provider. 	Idaho Code Ann. § 54-5713
IL	In the state, “Telemedicine” does not include the following: <ol style="list-style-type: none"> periodic consultations between an Illinois physician and a physician licensed in another jurisdiction; a second opinion...; 	IL Compiled Statutes, Chapter 225. 60/49.5(c)

	<p>3. diagnosis or treatment services provided to a patient in Illinois following care or treatment originally provided to the patient in the state in which the provider is licensed; and</p> <p>4. health care services provided to an existing patient while the provider or patient is traveling.</p> <p>The law sunsets on January 1, 2027.</p>	
IN	None found (but telemedicine registration is available)	
IA	Consultation only. The following persons are not required to obtain a license to practice in Iowa: Those persons who are incidentally called into this state in consultation with a physician or surgeon licensed in this state.	Iowa Code § 148.2(5)
KS	Consultation only (but telemedicine waiver available). Notwithstanding any other provision of law to the contrary, a physician holding a license issued by the applicable licensing agency of another state may provide, without limitation, consultation through remote technology to a physician licensed in the state of Kansas.	KS Statute Sec. 65-28-135
KY	Consultation only. A provider must be licensed in Kentucky with the exception of persons who, being nonresidents of Kentucky and lawfully licensed to practice medicine or osteopathy in their states of actual residence, infrequently engage in the practice of medicine or osteopathy within this state, when called to see or attend particular patients in consultation and association with a Kentucky-licensed physician.	KY Revised Statutes § 311.560
LA	No (but telemedicine permit available)	
ME	Consultation only. A physician not licensed to practice medicine in this State may provide consultative services through interstate telehealth to a patient located in this State if the physician is registered... [with the Board].	Maine Revised Statutes Annotated, Title 32, § 3300-D
MD	Consultation only. The state also has limited licensure exceptions, including: <ul style="list-style-type: none"> • Consultation with a physician licensed in Maryland about a particular patient with the latter directing patient care; • Employment with an athletic team based outside the State and is designated as the team physician; • Employment with the federal government and performing duties incident to that employment. 	MD Health Occupations Code Annotated § 14-301, 14-302
MA	None found	Mass.gov General Physician Licensing Questions
MI	Consultation only. In limited circumstances, MI Public Health Code states that certain individuals are not required to have a license for practice of a health profession in MI, including the following: ... An individual who resides in another state or country and is authorized to practice a health profession in that state or country who, in an exceptional circumstance, is called in for consultation or treatment by a health professional in this state.	MI Public Health Code 333.16171
MN	... These requirements do not apply in response to emergency medical conditions, the services are on an irregular or infrequent basis (defined as less than once a month or to fewer than ten patients annually), or the physician provides interstate telehealth services in consultation with a physician licensed in Minnesota.	MN Statute § 147.032
MS	Consultation only. This requirement shall not be required where the evaluation, treatment and/or the medical opinion to be rendered by a physician outside this state (a) is requested by a physician duly licensed to practice medicine in this state, and (b) the physician who has requested such evaluation, treatment and/or medical opinion has already established a doctor/patient relationship with the patient to be evaluated and/or treated.	MS Code § 73-25-34
MO	In order to treat patients in this state through the use of telemedicine or telehealth, health care providers shall be fully licensed to practice in this state and shall be subject to regulation by their respective professional boards. Does not apply to: ... Informal consultation[s]... Episodic consultation[s] by a health care provider licensed and located in another state who provides such consultation services on request to a physician in this state.	MO Rev. Stat. § 191.1145
MP	None found	
MT	Other exceptions. This chapter does not prohibit or require a license with respect to any of the following acts: ... <ul style="list-style-type: none"> • the gratuitous rendering of services in cases of emergency or catastrophe... 	Mont. Code Ann. § 37-3-103

	<ul style="list-style-type: none"> the rendering of services in this state by a physician lawfully practicing medicine in another state or territory. However, if the physician <i>does not limit the services to an occasional case</i> or if the physician has any established or regularly used hospital connections in this state or maintains or is provided with, for the physician's regular use, an office or other place for rendering the services, the physician must possess a license... 	
NC	None found	Rules of the NCMB
ND	<p>Consultation only. Notwithstanding anything in this chapter to the contrary, any physician who is the holder of a permanent, unrestricted license to practice medicine or osteopathy... may practice medicine or osteopathy... without first obtaining a license from the North Dakota board of medicine under one or more of the following circumstances:</p> <ol style="list-style-type: none"> As a member of an organ harvest team; On board an air ambulance and as a part of its treatment team; To provide one-time consultation on a diagnosis for a patient to a physician licensed in the state, or teaching assistance for a period of not more than seven days; To provide consultation or teaching assistance previously approved by the board for charitable organizations; or Under rules adopted by the board 	N.D. Cent. Code § 43-17-02.3
NE	<p>Consultation only. The following classes of persons shall not be construed to be engaged in the unauthorized practice of medicine: ...</p> <ul style="list-style-type: none"> Physicians who are licensed in good standing to practice medicine under the laws of another state when incidentally called into this state or contacted via electronic or other medium for consultation with a physician licensed in this state; Physicians who are licensed in good standing to practice medicine in another state but who, from such other state, order diagnostic or therapeutic services on an irregular or occasional basis, to be provided to an individual in this state; 	Neb. Rev. Stat. § 38-2025
NH	<p>Consultation only. To legally qualified physicians in other states or countries when called in consultation by an individual licensed to practice in the state who bears the responsibility for the patient's diagnosis and treatment. However, regular or frequent consultation by such an unlicensed person, as determined by the licensing board, shall constitute the practice of medicine without a license.</p>	NH Revised Statutes Annotated § 329:21
NJ	<p>Consultation only. a healthcare provider located in another state who consults with a licensee in New Jersey through the use of information and communications technologies, but does not direct client care, will not be considered as providing healthcare services to a client in New Jersey...</p>	NJ Admin. Code § 13:34-6A.1(d)
NM	<p>Consultation only (but telemedicine license is available). The Medical Practice Act shall not apply to or affect:</p> <ul style="list-style-type: none"> gratuitous services rendered in cases of emergency; ... a physician licensed to practice under the laws of another state who acts as a consultant to a New Mexico-licensed physician on an irregular or infrequent basis, as defined by rule of the board 	N.M. Stat. § 61-6-17
NV	<p>Consultation only (but special purpose telemedicine license is available). This chapter does not apply to: ... Physicians who are called into this State, other than on a regular basis, for consultation with or assistance to a physician licensed in this State, and who are legally qualified to practice in the state where they reside</p>	NRS § 630.047
NY	<p>Consultation only. The following persons under the following limitations may practice medicine within the state without a license: ... Any physician who is licensed in another state or country and who is meeting a physician licensed in this state, for purposes of consultation, provided such practice is limited to such consultation.</p>	NYS Education Law Article 131§ 6526
OH	<p>Licensure exceptions include:</p> <ul style="list-style-type: none"> A physician or surgeon in another state or territory who is a legal practitioner of medicine or surgery therein when providing consultation to an individual holding a license to practice issued under this chapter who has an established physician-patient relationship with the patient who is the subject of the consultation [so long as one of the following applies] <ul style="list-style-type: none"> The physician or surgeon does not provide consultation in this state on a regular or frequent basis. The physician or surgeon provides the consultation without compensation of any kind... 	Ohio Rev. Code § 4731.36 (A)(3) and (A)(4)

	<ul style="list-style-type: none"> ○ The consultation is part of the curriculum of a medical school or osteopathic medical school... • A physician or surgeon in another state or territory who is a legal practitioner of medicine or surgery therein and provided services to a patient in that state or territory, when providing, not later than one year after the last date services were provided in another state or territory, follow-up services in person or through the use of any communication, including oral, written, or electronic communication, in this state to the patient for the same condition 	
OK	None found (but a telemedicine license is available for osteopaths).	
OR	<p>A license to practice across state lines is not required of a physician or PA:</p> <ul style="list-style-type: none"> a) Engaging in the practice of medicine across state lines in an emergency; or b) Located outside this state who consults with another physician or physician assistant licensed to practice medicine in this state, and who does not undertake the primary responsibility for diagnosing or rendering treatment to a patient in Oregon; c) Located outside the state and who has an established provider-patient relationship with a patient who is in Oregon temporarily for the purpose of business, education, vacation, or work and who requires the direct medical treatment by that physician or physician assistant. d) Located outside the state and who has an established provider-patient relationship with a patient located in Oregon who requires temporary or intermittent follow-up care. <p>(2) A physician or physician assistant who is located outside this state and practices medicine as described in section (1) of this rule is subject to ORS chapter 677 and rules adopted pursuant to ORS chapter 677, including but not limited to the disciplinary authority of the Board, while or as a result of practicing medicine as described in section (1) of this rule.</p>	Or. Admin. R. 847-025-0020
PA	Consultation only (but extraterritorial license for adjoining states is available). A person authorized to practice medicine or surgery or osteopathy without restriction by any other state may, upon request by a medical doctor, provide consultation to the medical doctor regarding the treatment of a patient under the care of the medical doctor.	63 Pa. Code § 422.16
PR	None found	P.R. Laws tit. 20, § 133c
RI	Consultation only. The physician, whether or not physically present in this state, is being consulted on a singular occasion by a physician licensed in this state, or is providing teaching assistance in a medical capacity, for a period not to exceed seven (7) days. Under no circumstance may a physician who is not present in this state provide consultation to a patient in this state who does not have a physician-patient relationship with that physician unless that patient is in the physical presence of a physician licensed in this state.	RI General Law, § 5-37-16.2(3)
SC	Consultation only. This article shall not apply to ...physicians or surgeons of other states or territories in actual consultation with a licensed physician or surgeon of this State...	S.C. Code Ann. § 40-47-30(10)
SD	Other exceptions.	S.D. Codified Laws § 36-4-39
TN	None found (but a telemedicine license is available for osteopaths).	TN Code § 63-6-208
TX	None found (but a telemedicine license is available).	
UT	Licensure exceptions for mental health therapists.	UT Code Ann. § 58-61-307(k)
VT	Consultation only (and telemedicine registration is available). A health care professional is not required to obtain a telehealth registration or licensure solely to provide consultation services to another health care professional regarding care for a patient or client located in Vermont, provided the consulting health care professional holds a license, certificate, or registration to practice the profession in one or more U.S. jurisdictions and the consultation is based on a review of records without in-person or remote contact between the consulting health care professional and the patient or client.	VT Stat. Ann. tit. 26, Ch. 56, § 3059
VI	Other exceptions	V.I. Code tit. 27, § 40
VA	Virginia licensure requirements do not apply to: <ul style="list-style-type: none"> • Consultations: Any legally qualified out-of-state or foreign practitioner may consult with a practitioner licensed in the state... There must be regular communication 	Telemedicine Guidance. Doc. # 85-12. VA Board of

	<p>between the consultant and the Virginia practitioner while the consultation/care is being provided.</p> <ul style="list-style-type: none"> • Audio-only telephone, electronic mail message, facsimile transmission, or online questionnaire, which are not defined as “telemedicine” <ul style="list-style-type: none"> ○ The Board believes that these communications do not constitute telemedicine, and therefore do not require licensure, <i>when used in the follow-up care of a Virginia resident with whom a bona fide practitioner-patient relationship has been previously established</i>. The establishment of a new practitioner-patient relationship requires a Virginia license and must comport with the requirements for telemedicine found in § 54.1-3303 of the Code of Virginia. 	Medicine. P. 2 & 4-5 (Aug. 19, 2021)
WA	<p>The legislature created a specific exemption to the licensure requirement for telemedicine practitioner-to-practitioner consultations. The consultation exemption permits a practitioner licensed in another state in which the practitioner resides to use telemedicine or other means to consult with a Washington licensed practitioner who remains responsible for diagnosing and treating the patient in Washington. The law does not require real time communication between practitioners.</p> <p>Additionally, the WMC does not require a license when a patient seeks a second opinion or a consultation with a specialist out of state, such as a cancer center, and sends medical records to the specialist to review and provide input on treatment. In this case, the specialist in the distant state does not need a license to practice medicine in Washington to review the records and provide an opinion, but not treatment, regarding the patient’s care.</p> <p>Another common situation that is not specifically addressed by a statutory exemption is when a patient with an established relationship with a practitioner licensed in another state crosses the border into Washington and requires medical care. In some cases, permitting the physician in the patient’s home state to provide temporary continuous care is in the patient’s best interest. So long as the out-of-state practitioner provides temporary continuity of care to the patient, the practitioner would not require a Washington license.</p>	WA Medical Commission Updated Telemedicine Policy (July 2022)
WV	<p>Consultation only. An informal consultation or second opinion, at the request of a physician or podiatrist who is licensed to practice medicine or podiatry in this state: Provided, that the physician or podiatrist requesting the opinion retains authority and responsibility for the patient’s care...</p>	WV Code § 30-3-13a & 30-14-12d
WI	None found	
WY	<p>Physicians residing in and currently licensed in good standing to practice medicine in another state or country brought into this state for consultation by a physician licensed to practice medicine in this state may practice medicine without first obtaining a Wyoming license for a total of not more than twelve (12) days in any fifty-two (52) week period...</p> <p>Continuation of care received outside Wyoming. A physician or physician assistant who has established a provider-patient relationship in another state with a patient who is a resident of Wyoming may provide continued care to the patient via telehealth without a Wyoming physician or physician assistant license subject to the following:</p> <ul style="list-style-type: none"> • The provider-patient relationship must have been established in an in-person encounter in a state in which the physician or physician assistant is licensed; • Subsequent care may be provided to the patient via telehealth while the patient is in Wyoming if the care is a logical and expected continuation of the care provided in an in-person encounter in the state where the physician or physician assistant is licensed. If the patient is presenting with new medical conditions, or conditions that the standard of care dictates an in-person encounter is needed, patient must either return to the state in which the physician or physician assistant is licensed for care, or must be referred to a Wyoming-licensed health care provider. • The telehealth care may continue for up to six (6) months after the establishment of the provider-patient relationship in another state, after which an in-person encounter must take place in a jurisdiction where the physician or physician assistant is licensed before the telehealth may resume for another six (6) months. 	WY Rules and Regulations, Agency 83, Ch. 3, § 4

You may also be interested in the FSMB’s [“Comparison of States with Permanent Interstate Telemedicine \(Chart\)”](#) and [“Comparison of States with Permanent Interstate Telemedicine \(Map\)”](#)

For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.

Questions, comments, or corrections? Please contact Andrew Smith (asmith@fsmb.org)