

## TELEMEDICINE OVERVIEW BY STATE

STATE	REQUIRES FULL & UNRESTRICTED LICENSE	PASSED FSMB MODEL ACT	CURRENT LEGISLATION PENDING	MISC. OTHER ACTION (Statute or Rule citation)
AL		X (statute 1999)		Limits special license to states that have reciprocal legislation permitting AL physicians to cross their state lines. (Alabama Code 34-24-500 thru 508)
AK	X			(AK Stat. 08.64.170)
AZ-M	X (statute)			(AZ revised statute 32-1455)
AZ-O				(AZ revised statute 32-1858)
AR	X (statute) 1997			(AR statute ann. 17-95-206)
CA-M	X (Legislation passed in 1996 authorized a system of registration for physicians seeking to practice across state lines into CA. The Board has not adopted rules to implement this registration and thus a full and unrestricted license is required.)			(CA Bus. & Prof. Code 2052.5) <b>In 1996, CA SB 2098 authorized the smb to draft rules implementing telemedicine registration for physicians practicing across state lines into CA. The Board has indicated there is no political support for implementation at this time.</b>
CA-O				(CA Bus. & Prof. Code 2052.5)
CO	X (statute) 1998			(CO Rev. Stat. 12-36-129, 12-36-106)
CT	X (statute)		<b>2008 HB 5542</b> - Promotes the use of tele-communications technology for medical diagnosis and patient care. Requires a health care provider to have in-person contact with the patient prior to the delivery of health care services to a patient through telemedicine for the first time except in specified circumstances. <b>FAILED</b>	(CT Gen. Stat. 20-9)
DE				(24 DE Code 1702, 1703)
DC	X			<b>April 2002</b> – Board is considering telemedicine legislation or rules per Fred Finelli. (D.C. Code 2-3305.1)
FL-M	X (statute) 2000			(FL Stat. 458.327)
FL-O				
GA	X (statute) 1998			(O.C.G.A. 43-34-31.1)
GU			<b>2008 B 245</b> - States that a licensed physician who	

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			resides outside of Guam is not subject to Guam medical licensure requirements where said licensed physician is providing consultation to a Guam licensed physician through the use of telemedicine technology if certain conditions are met. <b>PENDING</b>	
HI	X (statute) 1997		<b>2008 HCR 138 (HR 119)</b> - Requests the University of Hawaii John A. Burns School of Medicine's Telehealth Research Institute to form a task force to explore the feasibility of further implementation of the telemedicine systems so that citizens of Hawaii may benefit from it and to examine issues regarding telemedicine. The task force is requested to submit a preliminary report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2009, and a final report of its findings and recommendations, including any necessary proposed legislation not later than twenty days prior to the convening of the Regular Session of 2010. <b>HR 119 ADOPTED 4-11-08, HCR 138 FAILED</b>	Fully licensed out-of-state physician may practice in consultation with physician licensed in HI. Any direct physician-to-patient practice requires full & unrestricted license. <b>Position reaffirmed on 3-10-00.</b> (HI Rev. Stat. 453-2)
ID				
IL	X (statute) 1998		<b>2007 HB 1953</b> - Provides that telemedicine includes a consultation, with both the referring physician licensed under the Act and the patient whose case is being consulted upon, given by a licensed practitioner outside of the State with whom the referring physician has a professional relationship	(225 ILCS 60-49.5)

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			<p>evidenced by a letter of agreement, for the purpose of tailoring the medical actions that are taken in regard to the patient accordingly.  <b>PENDING</b></p> <p><b>2007 HB 3724</b> - Excludes from the definition of telemedicine a consultation given by a licensed practitioner outside of the State with whom the referring physician has a professional relationship, evidenced by a letter of agreement, for the purpose of tailoring the medical actions that are taken in regard to the patient accordingly.  <b>PENDING</b></p>	
IN	X (statute) 1998			( Burns Ind. Code Ann. 25-22.5-1-1.1)
IA	X (rules)			<b>3-06-01</b> – Board holding a hearing in telemedicine. Letter from Board with questions. (IA Code 147.2 (1996))
KS	X (rules)			(KS Adm. Rules 100-26-1)
KY	X (statute - MPA)			(KY Rev. Stat. 311.560)
LA	X (statute - MPA) Board Statement of policy <b>Dec. 1996</b> requires full license.		<p><b>2008 HB 1268</b> - Requires a physician not licensed to practice medicine in Louisiana who provides services to a patient through interstate telemedicine to register with the Board of Medical Examiners if they meet certain criteria. The Board is required to promulgate rules and regulations to carry into effect the provisions of this act. <b>FAILED</b></p> <p><b>2008 HB 1384</b> - Establishes a telemedicine license under the Board of Medical Examiners to allow the practice of medicine across state lines to an applicant who holds a full and</p>	(LA Rev. Stat. 37:1271)

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			unrestricted license to practice medicine in another state or territory of the United States. Any physician licensed to practice telemedicine shall be subject to the jurisdiction of the board, applicable state law, and, with respect to providing medical services to state residents, to the jurisdiction of Louisiana courts. <b>PENDING</b>	
ME-M	X (statute)  In Nov. 2002, the Board adopted a policy stating that physicians providing care and/or treatment to patients in Maine must be licensed in Maine.			(32 ME Rev. Stat. 3270)
ME-O				
MD	X (statute )			(MD Health Occ. Code Ann. 14-301)
MA	X (statute - MPA)			(MA Ann. Laws Ch. 112, 6)
MI-M	X (statute - MPA)			(MSA 14.15 (17011))
MI-O				
MN		X (2002 statute – SB 3026) Requires physicians providing telemedicine services to patient in MN to register with Board.		(MN Stat. 147.032) (2002 SB 3026)
MS	X (statute) 1997			(MS Code Ann. 73-25-34)
MO	X (statute )		<b>2008 SB 1283</b> - Recognizes and encourages the delivery of health care via telehealth as a safe, practical and necessary practice and states that no health care provider or operator of an originating site shall be disciplined for or discouraged from using telehealth. Requires a telehealth practitioner to	(334.010 Rev. Stat. MO)

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			create and maintain an electronic medical record on each patient that the practitioner treats using telehealth. <b>FAILED</b>	
MT		X (statute 1999)		(MT Code Ann. 37-3-342 thru 349) Rules adopted Oct 2000.
NE	X (statute) 1998			(R.R.S. Neb. 71-1, 102)
NV-M		X (statute 2001)		(NV. Rev. Stat. Ann. 630.020)
NV-O				
NH	X (statute - MPA)			(RSA 329:24, 329:1-
NJ				(NJ Stat. 45:9-6)
NM-M		X (statute 2001)		(NM Stat. Ann. 61-6-20)
NM-O				
NY	X (statute - MPA)			(NYCLS Educ. 6522)
NC	X (statute) 1997 2001 (SB 118)			(NC Gen. Stat. 90-18)
ND	X (statute) 1999			(ND Cent. Code 43-17-34)
NMI				
OH		X (statute, 2000, created a telemedicine certificate with generally the same requirements as a full license. Becomes effective 4-10-01.)		(ORC Ann. 4731.41)
OK-M	X (statute) 1997			(OK Stat. Title 36 § 6802)
OK-O				
OR		X (statute, 1999 –same requirements as full & unrestricted license per rules, August 2000)		(1999 OR Laws 549 (SB 600))
PA-M	X (rules) <b>2003</b> – Board considering legislation creating a telemedicine license.		<b>2007 SB 819</b> - Known as the Telemedicine Act. The bill provides definitions for telemedicine and teleradiology, medical licensure requirements,	(63 P.S. 422.10)

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			exceptions from licensure requirements and sanctions. <b>PENDING</b>	
PA-O				
PR				
RI	X (rules)			
SC	X (MPA) (1997 board position)			(SC Code Ann. 40-47-20 (36)(e)) Practice of medicine includes rendering a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient or the actual rendering of treatment to a patient within this State by a physician located outside the State as a result of transmission of individual patient data by electronic or other means from within a state to such physician or his or her agent.
SD	X (statute) 1998 2002 - SB 45 est. special criteria for licensure of physicians practicing across state lines.	X (2002 criteria provides an expedited process.)		(SD Codified Laws 36-4-41)
TN-M		X (rule 1998)		(TN Code Ann. § 63-6-201)
TN-O		X (rule 2000)		(TN Code 1050-2-.17)
TX		X (statute 1997)		(22 TX Adm. Code 174.1 thru 174.17) New rule adopted 4-27-03 that includes Use of the Internet in Medical Practice.
UT-M	X (statute) 1998		<b>2008 HB 16</b> - States that on	

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			or after July 1, 2008, communication by telemedicine is considered face to face contact between a health care provider and a patient under the state's medical assistance program under certain circumstances. <b>Signed by Governor 3-14-08</b>	(UT Code Ann. 58-31b-102)
UT-O				
VT-M	X (statute - MPA)			(26 V.S.A. 1314)
VT-O				
VA	X (statute - MPA)			(VA Code Ann. 54.1-2929)
VI				
WA-M				(Rev. Code WA 18.71.021)
WA-O				
WV-M	X (statute 2000)			(W.V. Code 30-3-13)
WV-O				
WI				(WI Stat. 448.03)
WY	X (rules)			(WY Rules 024-052-001 § 4(d))
<b>TOTALS</b>	37	11 *		

\* California legislation authorized a registration system for telemedicine practice. The Board, however, has not adopted rules to implement the registration system and, therefore, the Board continues to require a full and unrestricted license.