



Telemedicine Policies

Board by Board Overview

Document summary:

Licensure

- All state boards, plus the medical boards of District of Columbia, Puerto Rico, and the Virgin Islands, require that physicians engaging in telemedicine are licensed in the state in which the patient is located, or are registered in the state, if they have a registry for interstate practice.
- Eight (8) states issue a special purpose license, telemedicine license or certificate to practice telemedicine across state lines.
- Eight (8) states require physicians to register or receive a waiver if they wish to practice across state lines.
- Three (3) states and District of Columbia offer a form of regional or proximal reciprocity with neighboring states.
- Three (3) states offer pro bono or limited referral services for interstate practice.
- Two (2) states allows for consultative services to be rendered across state lines.

Reimbursement - Medicaid

- All states and the District of Columbia provide reimbursement for some form of live video in Medicaid fee-for-service.
- Twenty-five (25) states reimburse for store-and-forward.
- Thirty-four (34) states reimburse for remote patient monitoring.
- Thirty-four (34) states reimburse for audio-only.
- Seventeen (17) states reimburse for all three, with certain limitations.

Reimbursement – Private Payer

- Forty-three (43) states and the District of Columbia govern private payer telehealth reimbursement policies.
- Twenty-four (24) states have private payer parity laws.

| | State License Required | Reimbursement Policies | | | | Private Payer Law | Other Rules/Regulations (citation only) |
|------|------------------------|------------------------|-------------------|---------------------------|------------|-------------------|---|
| | | Medicaid | | | | | |
| | | Live Video | Store-and-Forward | Remote Patient Monitoring | Audio-only | | |
| AL | √ | √ | | √ | | | Ala. Admin. Code § 540-x-16 ALBME Special Purpose License (Abolished 5/26/22) AL Medicaid Management Information System Provider Manual, Primary Care Physician |
| AK | √* ¹ | √ | √ | √ | √ | √ | “Telehealth Statutes, Regulations & Policy” Alaska Dept. of Health and Social Services SB 74 of 2016, Chapter 25 SLA 16 “Board Issued Guidelines: Telemedicine”, AMB, Nov. 2014 Alaska Courtesy License AK HB 265 (2022) re: out-of-state referrals |
| AZ-M | √+ ² | √ | √ | √ | √ | √ ³ | Ariz. Rev. Stat. § 32-1421 “Issue Brief: Telemedicine” Arizona State Senate, Nov. 2014 AZ HB 2454 (2021) |
| AZ-O | √+ | √ | √ | √ | √ | √ ³ | Ariz. Rev. Stat. § 32-1821 Ariz. Rev. Stat. § 32-1854 “Issue Brief: Telemedicine” Arizona State Senate, Nov. 2014 AZ HB 2454 (2021) |
| AR | √ | √ | | √ | √ | √ | AR Code § 17-95-206 AR Stat. 10-3-1702(10) “When Does Telemedicine or Internet- Based Patient Healthcare Violate Regulation 2.8?” AR State Med. Board Newsletter Fall 2012 |

¹ Alaska allows individuals with suspected or diagnosed life-threatening conditions, to be treated by an out-of-state physician *as long as they have a referral from their Alaska-licensed physician*, among other requirements.

² √+ denotes that a state requires physicians to register if they choose to practice medicine across state lines.

³ √³ denotes that a state has payment parity.

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|------|------------------------|------------------------|-------------------|---------------------------|------------|-------------------|--|
| | | Medicaid | | | | | |
| | | Live Video | Store-and-Forward | Remote Patient Monitoring | Audio-only | | |
| CA-M | √ | √ | √ | √**4 | √ | √^ | Ca. Business & Prof. Code § 2290.5 Medical Board of California |
| CA-O | √ | √ | √ | √** | √ | √^ | Same as CA-M |
| CO | √ | √ | | √ | √ | √ | Colo. Rev. Stat. § 12-36-106(1)(g) “40-27: Guidelines for the Appropriate Use of Telehealth Technologies in the Practice of Medicine” Colorado Medical Board, Aug. 2015 |
| CT | √ | √ | | | √ | √^ | Public Act 15-88, Effective 10/1/15 CT Gen. Stat. § 17b-245c |
| DE | √+ | √ | | | | √^ | 18 Del. C § 3370 24 Del. C § 1702 24 Del. C § 1769D DE HB 334 (2022) |
| DC | √† ⁵ | √ | | | √ | √ | DC Municipal Regulations § 4618 |
| FL-M | √+ | √ | | | | √ | Fla. Stat. § 2019-137 Fla. Admin. Code § 64B8-9.0141 |
| FL-O | √+ | √ | | | | √ | Fla. Stat. § 2019-137 Fla. Admin. Code § 64B15-14.0081 |
| GA | √ ^{6*} | √ | √ | | | √^ | Ga. Code § 360-3.07 O.C.G.A. § 43-34-31 Ga. Comp. R. & Regs. 360-3-.07 Ga. Code § 43-34-31.1 |

⁴ √** denotes that the state reimburses store-and-forward or remote patient monitoring as a part of Communications Technology Based Services (CTBS), which limits reimbursement codes and amounts.

⁵ √† denotes that a state offers regional or proximal reciprocity to practice in neighboring states.

⁶ √* denotes that a state may issue a special purpose license, telemedicine license or certificate practice telemedicine across state lines.

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| GU | # ⁷ | | | | | | 10 GCA § 12202(b) |
| HI | √ | √ | √ | √** | | √^ | Haw. Rev. Stat. § 453-1.3 |
| ID | √ | √ | | | √ | | Idaho Code Ann. § 54-5601 IDAPA 24.33.03 |
| IL | √ | √ | | √ | √ | √^ | 225 ILCS 60/49.5 |
| IN | √+ | √ | | √ | √ | √ | Ind. Code 25-1-9.5 Ind. Code 25-22.5-14 Ind. Code 12-15-5-11 844 IAC 5-8 |
| IA | √ | √ | √ | | √ | √^ | IAC 653 – 13.11 |
| KS | √+ | √ | | √ | | √ | KS Statute Sec. 65-28,135 KS HB 2208 (2021) |
| KY | √ | √ | √ | √ | √ | √^ | Ky. Rev. Stat. § 311.550(17) Ky. Rev. Stat. § 311.5975 “Policy: Telemedicine Statement” KBML, Sept.1997 “Board Opinion regarding the use of Telemedicine Technologies in the Practice of Medicine” KBML, June 2014, amended Sept. 2022 |
| LA | √* | √ | | √ | √ | √^ | La. Rev. Stat. § 37.1276.1 La. Rev. Stat. § 37:1271 La. Rev. Stat. § 40:1223.3 La. Admin. Code 46:XLV.408 “Advisory opinion: The use of telemedicine technologies with established patient” LSBME, March, 2014 LA Rev. Stat. § 37:1276.1 |

⁷ # - Guam Code, 10 GCA § 12202(b), requires only that physicians are licensed somewhere within the United States.

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| ME-M | √‡ ⁸ | √ | √ | √ | √ | √ | 32 MRSA § 3300-D “Guidelines: Telemedicine” MBLM, Sept. 2014 “Policy: Medical Practice Across State Lines” Northeast Region State Medical Boards, Sept. 1999 “Advisory Ruling: Telemedicine – Radiology” Maine Board of Licensure in Medicine, May 1994 “Advisory Ruling: Telemedicine – Psychotherapy” Maine Board of Licensure in Medicine, August 1993 |
| ME-O | √‡ | √ | √ | √ | √ | √ | “Policy: Medical Practice Across State Lines” Northeast Region State Medical Boards, Sept. 1999 |
| MD | √† | √ | √ | √ | √ | √^ | MD Dept. of Health and Mental Hygiene MD Health Occ Code § 14-302 |
| MA | √ | √ | √ | √** | √ | √^ | 243 CMR 2.01(4) |
| MI-M | √ | √ | √ | √ | √ | √ | MCL 333.16283 et. seq. |
| MI-O | √ | √ | √ | √ | √ | √ | See MI-M |
| MN | √+ | √ | √ | √ | √ | √^ | Minn. Stat. § 147.032 “Telemedicine Registration” Telemedicine Registration Application Telemedicine Laws in Minnesota, MN House Research, July 2020 |
| MS | √ | √ | | √ | | √ | MS Code Ann. § 73-25-34 MS Admin Code title 30, part 2635, Ch. 5 |
| MO | √ | √ | √ | √ | √ | √ | Mo. Rev. Stat. § 191.1145(6) Mo. Rev. Stat. § 191.1146 Mo. Rev. Stat. § 334.010 Mo. Rev. Stat. § 334.108 |

⁸ √‡ denotes that a state allows for consultative services to be rendered across state lines

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| MT | √ | √ | | | | √ | MT Code Ann. § 37-3-102 MT Code Ann. § 37-3-343 Montana Admin. Code 24:156:8 |
| NE | √ | √ | | √ | | √^ | Neb. Rev. Stat. § 71-8501 et seq. |
| NV-M | √* | √ | √ | | √ | √^ | NRS 630.261(e) |
| NV-O | √* | √ | √ | | √ | √^ | NRS 633.165 NRS 630.261 |
| NH | √ | √ | | | √ | √ | NH Rev. Stat. § 329:1-d NH Rev. Stat. § 415-J “ Guidelines for Physician Internet and Prescribing ” NHBOM, April 2004 “ Policy: Medical Practice Across State Lines ” Northeast Region State Medical Boards, Sept. 1999 |
| NJ | √ | √ | | | | √ | NJ Statute C.45:1-62(2)(b) |
| NM | √* | √ | √ | | √ | √^ | NM Admin. Code 16.10.2 et seq. NM SB 279 (2021) |
| NY | √ | √ | √ | √ | √ | √^ | Telemedicine Statutes of New York “ Statements on Telemedicine ” NY PMC “ Policy: Medical Practice Across State Lines ” Northeast Region State Medical Boards, Sept. 1999 |
| NC | √ | √ | √*** | √ | √ | | “ Position Statement: Telemedicine ” NCMB, Nov. 2014 |
| ND | √ | √ | | √ | √ | √ | N.D. Cent. Code § 54-52.1-04.13 “ Statement on Telemedicine Policy ” NDBME, March 2014 N.D. Cent. Code § 43-17 |
| OH | √ | √ | √*** | √ | √ | √ | O. R. C. § 4743.09 |
| OK-M | √ | √ | | √ | | √^ | Okla. Stat. § 36-6801 et seq. Oklahoma Admin. Code § 435 Amendments to OAC § 435, May 2016 |

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| | | | | | | | “Adopted Telemedicine Policy (Mental Health)” OMB, Sept. 18, 2008 “Definition of Face-to-Face Encounter by Telemedicine in Oklahoma” OMB, Sept. 25, 2013 |
| OK-O | √* | √ | | √ | | √^ | “Licensure” Okla. Stat. §59-633 “Guidelines on Telemedicine,” OKBOE OK Stat., Tit. 59, § 633 |
| OR | √* (+ limited pro bono interstate telemedicine) | √ | √ | √ | √ | √^ | Or. Rev. Stat. § 677.139 Or. Rev. Stat. § 743A.058 Or. Admin. Code 410-130-0610 “Telemedicine” OMB, originally pub. January 2012 OAR 847-010-0200 |
| PA-M | √† | √ | | | √ | | Pa. Code § 17.4 PA Stat. tit. 63, § 422.34 |
| PA-O | √† | √ | | | √ | | Pa. Code § 25.243 PA Stat. tit. 63, § 422.34 |
| PR | √ | | | | | | 20 LPRA § 6001 et seq. |
| RI | √ | √ | | | | √^ | RI Gen Laws § 5-37-12 “Guidelines for Appropriate Use of Telemedicine and Internet in Medical Practice,” RI BMLD |
| SC | √ | √ | | √ | √ | | S.C. Code Ann. 40-47-37 “Telemedicine Advisory Opinion” SCBME, Aug. 2015 “Establishment of Physician-Patient Relationship as Prerequisite to Prescribing Drugs” SCBME, Aug. 2015 |
| SD | √ | √ | √ | | √ | √ | SD Codified Laws § 36-4-41 SD Codified Laws § 36-2-9 SD Admin. Rules 20:78:03:12 |

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| TN-M | √ | √ | | | √ | Tenn. Code Ann. § 63-1-155 Tenn. Code Ann. § 63-6-201 Tenn. Comp. R. & Regs. 0880-02.16 “Policy Statement: Practicing Medicine on patients within Boundaries of Tennessee by Physicians in other states” TNBME, Oct. 1994 | |
| TN-O | √* | √ | | | √ | Tenn. Comp. R. & Regs. 1050-02.17 | |
| TX | √* | √ | √ | √ | √ | TX Admin. Code, Tit. 22, § 172.12 “Out-of-State Telemedicine License,” TMB | |
| UT-M | √ (+ pro bono interstate telemedicine) | √ | | √ | √^ | UT Code Ann. § 58-67-305(7) Utah Code § 58-1-307 | |
| UT-O | √ (Same as UT-M) | √ | | √ | √^ | Same as UT-M | |
| VT-M | √+, * ⁹ | √ | √ | √ | √^ | “Policy: Medical Practice Across State Lines” Northeast Region State Medical Boards, Sept. 1999 VT SOS Guidance: Telehealth, Out-of-State & Expired License Registration | |
| VT-O | √+, * ¹⁰ | √ | √ | √ | √^ | Same as VT-M | |

⁹ Beginning on July 1, 2023, a health care professional who is not otherwise licensed, certified, or registered to practice in Vermont may obtain a Telehealth Registration to provide health care services in Vermont via telehealth to a total of not more than 10 unique patients or clients for a period of not more than 120 consecutive days from the date the Telehealth Registration was issued. OR practitioners may obtain a Telehealth License to provide healthcare services in Vermont via telehealth to a total of not more than 20 unique patients or clients located in Vermont during the two-year license term.

¹⁰ Interim Telehealth Registrations are available from April 1, 2022, through June 30, 2023 for osteopathic physicians only. These Interim Telehealth Registrations expire on June 30, 2023. Osteopaths who are licensed in good standing in another state and wish to provide healthcare in Vermont via telehealth after June 30, 2023, will be required to obtain a Telehealth Registration or Telehealth License.

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| VI | √ | | | | | | VI St. T. 27 § 16 |
| VA | √† | √ | √ | √ | √ | √ | Va. Code § 38.2-3418.16 “Guidance Document 85-21” Virginia Board of Medicine, Feb. 2015 |
| WA-M | √‡ | √ | √ | √ | √ | √^ | RCW 18.71.030 WAC 182-531-1730 “Guideline: Appropriate Use of Telemedicine” Medical Quality Assurance Commission, Oct. 2014 WA SSB 5423 (2021) SSB 5423 Bill Summary |
| WA-O | √‡ | √ | √ | √ | √ | √^ | RCW 18.57.040 |
| WV-M | √+ | √ | √ | √*** | | √^ | W Va. Code § 30-3-13 “Position Statement on Telemedicine” West Virginia Board of Medicine, Nov. 2014 WV HB 2024 (2021) |
| WV-O | √+ | √ | √ | √*** | | √^ | W. Va. Code §30-14-12d “Telemedicine Policy” WVBOM Medicine, Sept. 2015 WV HB 2024 (2021) |
| WI | √ | √ | | √ | √ | | Wisconsin Admin. Code Med. §24 |
| WY | √ | √ | | | | | WY Board Rules § 1.4(e) |

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).