States with Episodic and Follow Up Care Licensure Exceptions
Last Updated: 2/21/23

- 9 states + DC have episodic and follow up care licensure exceptions
- 16 states have exceptions for consultations only
- 25 states have neither licensure exceptions

Details:

**Alabama** – 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 Sec. 34-24-702 & Senate Bill 272 (2022 Session))

**Alaska** – 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…
(AK House Bill 265 (2022 Session) and Sec. 08.01.085)

**Arizona** – 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 Revised Statute Sec. 36-3606)

**Arkansas** – 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: The acts of a medical specialist located in another jurisdiction who provides only episodic consultation services.
(AR Code Revised 17-95-206)

**California** – No

**Colorado** – No

**Connecticut** – No

**Delaware** – 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.
(Title 24, Ch. 60, Sec. 6005)

**Florida** – 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 section 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.

(Sec. 456.47)

**Georgia** – No (but telemedicine license available)

**Hawaii** – **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 Revised Statutes Sec. 453-2(3-4))

**Idaho** – No

**Illinois** – **Consultation only.** “Telemedicine” does not include the following: periodic consultations between a person licensed under this Act and a person outside the State of Illinois.

(IL Compiled Statutes, Chapter 225, 60/49.5(c))

**Indiana** – No (but telemedicine registration is available)

**Iowa** – **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.

(Section 148.2)

**Kansas** – No (but telemedicine waiver available)

**Kentucky** – 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)

**Louisiana** – No (but telemedicine permit available)

**Maine** – **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…

(Maine Revised Statutes Annotated, Title 32, Sec. 3300-D)

**Maryland** – **Consultation only.**

(MD Health Occupations Code Annotated Sec. 14-301, 14-302)

**Massachusetts** – No

**Michigan** – **Consultation only.**

(MI Public Health Code 333.16171)
Minnesota – These requirements do not apply in response to emergency medical conditions, the services are on an irregular or infrequent basis, or the physician provides interstate telehealth services in consultation with a physician licensed in Minnesota.
(MN Statute Sec. 147.032)

Mississippi – Consultation only.
(MS Code Sec. 73-25-34)

Missouri – 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… Episodic consultation 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 Revised Statute Ch. 191 Sec. 191.1145)

Montana – No

Nebraska – No

Nevada – No (but telemedicine “special” license is available).

New Hampshire – 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.
(NH Revised Statutes Annotated, 329:21)

New Jersey – 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…
(NJ Administrative Code 13:34-6A.1)

New Mexico – No (but telemedicine license is available).

New York – No

North Carolina – No

North Dakota – No

Ohio – No

Oklahoma – No (but a telemedicine license is available for osteopaths).

Oregon – Consultation and “temporary” exception. License required for practice of medicine across state lines; exceptions… Consults with another physician or physician assistant licensed to practice medicine in this state; and (b) Does not undertake the primary responsibility for diagnosing or rendering treatment to a patient within this state… do not apply to a licensed physician or physician assistant located outside this state who has an established physician-patient relationship with a person who is in Oregon temporarily and who requires the direct medical treatment by that physician or physician assistant…
Pennsylvania – No (but extraterritorial license for adjoining states is available).

Rhode Island – 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, Sec. 5-37-16.2)

South Carolina – No

South Dakota – No

Tennessee – No (but a telemedicine license is available for osteopaths).

Texas – No (but a telemedicine license is available).

Utah – No

Vermont – 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 Statutes Annotated, Title 26, Ch. 56, Sec. 3053 and 3054)

Virginia – Consultation only.


Washington – 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. Plus consultation exemption.

(WA Medical Commission Updated Telemedicine Policy (July 2022))

Washington, D.C. – 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 limited period of time, 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…

(§ 3–1205.02)
West Virginia – 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… (WV Code Sec. 30-3-13a & 30-14-12d)

Wisconsin – No

Wyoming – Consultation only. 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… (WY Rules and Regulations, Agency 83, Ch. 3, Sec. 4)

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