

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 1976, Page 1, Section A, Line 3, by inserting after all of said section and  
2 line the following:

3  
4 "191.1145. 1. As used in sections 191.1145 and 191.1146, the following terms shall mean:  
5 (1) "Asynchronous store-and-forward transfer", the collection of a patient's relevant health  
6 information and the subsequent transmission of that information from an originating site to a health  
7 care provider at a distant site without the patient being present;

8 (2) "Clinical staff", any health care provider licensed in this state;

9 (3) "Distant site", a site at which a health care provider is located while providing health  
10 care services by means of telemedicine;

11 (4) "Health care provider", as that term is defined in section 376.1350;

12 (5) "Originating site", a site at which a patient is located at the time health care services are  
13 provided to him or her by means of telemedicine. For the purposes of asynchronous store-and-  
14 forward transfer, originating site shall also mean the location at which the health care provider  
15 transfers information to the distant site;

16 (6) "Telehealth" or "telemedicine", the delivery of health care services by means of  
17 information and communication technologies, including audiovisual and audio-only technologies,  
18 which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and  
19 self-management of a patient's health care while such patient is at the originating site and the health  
20 care provider is at the distant site. Telehealth or telemedicine shall also include the use of  
21 asynchronous store-and-forward technology. Health care providers shall not be limited in their  
22 choice of electronic platforms used to deliver telehealth or telemedicine, provided that all services  
23 delivered are in accordance with the Health Insurance Portability and Accountability Act of 1996.

24 2. Any licensed health care provider shall be authorized to provide telehealth services if  
25 such services are within the scope of practice for which the health care provider is licensed and are  
26 provided with the same standard of care as services provided in person. This section shall not be  
27 construed to prohibit a health carrier, as defined in section 376.1350, from reimbursing nonclinical  
28 staff for services otherwise allowed by law.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           3. In order to treat patients in this state through the use of telemedicine or telehealth, health  
2 care providers shall be fully licensed to practice in this state and shall be subject to regulation by  
3 their respective professional boards.

4           4. Nothing in subsection 3 of this section shall apply to:

5           (1) Informal consultation performed by a health care provider licensed in another state,  
6 outside of the context of a contractual relationship, and on an irregular or infrequent basis without  
7 the expectation or exchange of direct or indirect compensation;

8           (2) Furnishing of health care services by a health care provider licensed and located in  
9 another state in case of an emergency or disaster; provided that, no charge is made for the medical  
10 assistance; or

11           (3) Episodic consultation by a health care provider licensed and located in another state who  
12 provides such consultation services on request to a physician in this state.

13           5. Nothing in this section shall be construed to alter the scope of practice of any health care  
14 provider or to authorize the delivery of health care services in a setting or in a manner not otherwise  
15 authorized by the laws of this state.

16           6. No originating site for services or activities provided under this section shall be required  
17 to maintain immediate availability of on-site clinical staff during the telehealth services, except as  
18 necessary to meet the standard of care for the treatment of the patient's medical condition if such  
19 condition is being treated by an eligible health care provider who is not at the originating site, has  
20 not previously seen the patient in person in a clinical setting, and is not providing coverage for a  
21 health care provider who has an established relationship with the patient. Health care providers  
22 shall not be limited in their choice of electronic platforms used to deliver telehealth or telemedicine.

23           7. Nothing in this section shall be construed to alter any collaborative practice requirement  
24 as provided in chapters 334 and 335."; and

25  
26 Further amend said bill by amending the title, enacting clause, and intersectional references  
27 accordingly.