

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2413, Page 2, Section 191.648, Line 43,
2 by inserting after all of said section and 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. The term "telehealth" or "telemedicine" shall not be
22 limited only to services delivered via select third-party corporate platforms. All services delivered
23 shall be 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. Telehealth services shall
22 not be limited only to services delivered via select third-party corporate platforms.

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.