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SURROUNDING STATES ALREADY HAVE STATUTES CONSISTENT WITH HB1063

Texas, Tennessee, Louisiana, Mississippi, Oklahoma, and Missouri have permissive, technology-neutral methods to establish a practitioner-patient relationship. Several of these neighboring states are **also working on legislation to further permit** the use of telehealth. With the passage of HB1063, Arkansas will align itself with its neighbors and **expand access to care for Arkansans**.



“a valid practitioner-patient relationship is present...[when] the practitioner uses...asynchronous store and forward technology, including asynchronous store and forward in conjunction with synchronous audio interaction between the practitioner and the patient in another location...” [TX Occupations Code, §111.005(B)]



“a healthcare provider-patient relationship with respect to telemedicine or telehealth is created by mutual consent and mutual communication ... between the patient and the provider. The consent by the patient may be expressed or implied consent... A healthcare provider who delivers services through the use of telehealth is held to the same standard of professional practice ... and nothing in this section is intended to create any new standards of care.” [TN Code Annotated, Title 63, Ch. 1, Part 155]



“Physicians utilizing telemedicine shall establish a proper physician-patient relationship by ... conducting an appropriate examination. The examination does not require an in-person visit if the technology is sufficient to provide the physician the pertinent clinical information reasonably necessary to practice at an acceptable level of skill and safety.” [LA Admin. Code 46:XLV.7503]



“...use of interactive audio, video or other electronic media.” [MS Code §83-9-351]

“...exam need not be in person if the technology is sufficient to provide the same information to the physician as if the exam had been performed face to face.” [MS Rules, Title 30, Part 2635]



“Telemedicine” means the practice of health care delivery, diagnosis, consultation, evaluation and treatment, transfer of medical data or exchange of medical education information by means of ... store and forward technologies ... a valid physician-patient relationship may be established by an allopathic or osteopathic physician with a patient located in this state through telemedicine.” [OK Statutes, Title 59, §478.1]



“...delivery of health care services by means of information and communications technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient’s health care...” [MO Rev. Code §191.1145]

“In order to establish a physician-patient relationship through telemedicine: (1) The technology utilized shall be sufficient to establish an informed diagnosis as though the medical interview and physical examination has been performed in person...” [MO Rev. Code §191.1146.1(2)]

HB1063 GIVES ARKANSAS THE SAME ACCESS TO TELEHEALTH AS SURROUNDING STATES

