



February 28, 2022

Amy Embry, Executive Director  
Arkansas State Medical Board  
1401 West Capitol Avenue, Suite 340  
Little Rock, AR 72201-2936

**RE: ATA ACTION SUPPORT FOR PROPOSED RULE 2.8 – ESTABLISHING PROVIDER/PATIENT RELATIONSHIP**

Dear Ms. Embry:

On behalf of ATA Action, I am writing you express our support for proposed Rule 2.8 – Establishing Provider/Patient Relationship.

ATA Action, the American Telemedicine Association’s affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telemedicine services – including teledentistry services – across the care continuum. ATA Action supports the enactment of state and federal telemedicine coverage and fair payment policies to secure telemedicine access for all Americans, especially those in rural and other underserved communities. ATA Action recognizes that telemedicine and virtual care have the potential to truly transform the health care delivery system – by improving patient outcomes, enhancing safety and effectiveness of care, addressing health disparities, and reducing costs – if only allowed to flourish.

Proposed Rule 2.8 would serve as a step forward for Arkansas’ state telemedicine regulation. The rule would enable providers to establish provider-patient relationships so long as they have access to the patient’s personal health record, records which may be created through the use of telemedicine technologies, and uses any technology deemed appropriate by the provider.

ATA Action commends the Board for promulgating technology-neutral language in its telemedicine rules. Our organization believes that so long as the provider delivering telemedicine services determines, in his or her professional opinion, that the technologies being used to render care are sufficient to meet the standard of care for the condition presented by the patient, that provider should be able to use whichever technologies he or she wishes – whether they be synchronous or asynchronous modalities – to establish professional relationships with and deliver high-quality care to patients. If passed, this rule would enable providers to connect with patients more efficiently and effectively than ever before, empowering those who do not have easy access to a physical doctor’s office or who do not have the broadband capabilities to operate audiovisual technologies to interact with and receive care from their preferred providers.

Proposed Rule 2.8 would align Arkansas’ telemedicine regulation with recently passed telemedicine legislation, reaffirming the Legislature’s intent of expanding access to high-quality

**ATA ACTION**

901 N. Glebe Road, Ste 850 | Arlington, VA 22203  
Info@ataaction.org



care for all Arkansans. We encourage the Board to approve this rule in the interest of ensuring all Arkansas patients have access to the care they need and deserve. Thank you for your support of telemedicine, and please do not hesitate to let us know how we can be helpful to your efforts to advance common-sense telemedicine policy in Arkansas. If you have any questions or would like to discuss the telemedicine industry's perspective further, please contact me at [kzebley@ataaction.org](mailto:kzebley@ataaction.org).

Kind regards,

A handwritten signature in black ink, appearing to read "Kyle Zebley", is written over a light gray rectangular background.

Kyle Zebley  
Executive Director  
ATA Action