

# ALABAMA WOULD BECOME THE MOST RESTRICTIVE STATE IN THE COUNTRY FOR TELEHEALTH ACCESS



No other state arbitrarily restricts the number of telehealth visits as SB272/HB423 would

Here is a snapshot of surrounding state statutes, none of which restrict telehealth visits:



Once a professional relationship is established [via telehealth modalities], a healthcare professional may provide healthcare services through telemedicine, including interactive audio, if the healthcare services are within the scope of practice for which the healthcare professional is licensed or certified and the healthcare services otherwise meet the requirements of this subchapter. **[A.C.A. § 17-80-404]**



Providers using telemedicine technologies to provide medical care to patients located in Mississippi must provide an appropriate examination prior to diagnosis and treatment of the patient. However, this 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. Administrative Code Part 2635 Chapter 5 Rule 5.5]**



(e) An insurer shall not exclude a service for coverage solely because the service is provided through telemedicine services and is not provided through in-person consultation or contact between a health care provider and a patient for services appropriately provided through telemedicine services.

(f) No insurer shall require an in-person consultation or contact before a patient may receive telemedicine services from a health care provider, except for the purposes of initial installation, setup, or delivery of in-home telehealth devices or services, or as otherwise required by state or federal law, rule, or regulation. **[GA. Code § 33-24-56.4]**



(a) A telehealth provider has the duty to practice in a manner consistent with his or her scope of practice and the prevailing professional standard of practice for a health care professional who provides in-person health care services to patients in this state.

(b) A telehealth provider may use telehealth to perform a patient evaluation. If a telehealth provider conducts a patient evaluation sufficient to diagnose and treat the patient, the telehealth provider is not required to research a patient's medical history or conduct a physical examination of the patient before using telehealth to provide health care services to the patient. **[Florida Code Section 456.47]**



A healthcare provider who delivers services through the use of telehealth is held to the same standard of professional practice as a similar licensee of the same practice area or specialty that is providing the same healthcare services through in-person encounters, and nothing in this section is intended to create any new standards of care. **[TN Code Sec. 63-1-155]**



(a) The physician practicing telemedicine shall use the same standard of care as if the healthcare services were provided in person.

(b) The physician practicing telemedicine shall not be required to conduct an in-person patient history or physical examination of the patient before engaging in a telemedicine encounter if the physician satisfies all of the following conditions. **[RS 37:1271]**



- a) A health professional providing a health care service or procedure as a telemedicine medical service:
- (1) is subject to the same standard of care that would apply to the provision of the same health care service or procedures in an in person setting;
  - (2) must establish a practitioner-patient relationship [via telehealth modalities]; and
  - (3) must maintain complete and accurate medical records as set out in §165.1 of this title

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