



March 13, 2023

The Honorable Elaine Marzola  
Chair, Assembly Commerce and Labor Committee  
Nevada Legislature  
2920 North Green Valley Parkway  
Suite 219  
Henderson, NV 89014-0407

The Honorable Sandra Jauregui  
Vice Chair, Assembly Commerce and Labor Committee  
Nevada Legislature  
7582 Las Vegas Boulevard South,  
No. 118  
Las Vegas, NV 89123-1009

**RE: ATA ACTION SUPPORT OF AB 198**

Dear Chair Marzola, Vice Chair Jauregui and members of the Assembly Commerce and Labor Committee,

On behalf of ATA Action, I am writing you to express support for Assembly Bill 198 to adopt the Uniform Law Commission's (ULC) Uniform Telehealth Act.

ATA Action, the American Telemedicine Association's affiliated trade association focused on advocacy, advances policy to ensure all individuals have permanent access to telehealth services across the care continuum. ATA Action supports the enactment of state and federal telehealth coverage and fair payment policies to secure telehealth access for all Americans, including those in rural and underserved communities. ATA Action recognizes that telehealth 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.

ATA Action is grateful to the sponsors of this legislation and to the Committee for hearing this bill, which will enact the ULC Uniform Telehealth Act. The ULC is a highly respected nonpartisan organization, founded in 1892, and is responsible for numerous model laws adopted by states across the country. ATA Action was an observer throughout the ULC's thoughtful process, which spanned over two years and incorporated perspectives from providers, patients, legal experts and other healthcare stakeholders to develop a uniform telehealth regulatory framework that expands access to telehealth and ensures patient safety. The final result – the Uniform Telehealth Act – has ATA Action's support and fulfills many of ATA's core principles.<sup>1</sup>

AB 198 reflects the ULC's Uniform Telehealth Act and, if enacted, will serve as a step forward for patient choice and access to quality care in Nevada. The legislation will provide clear guidance to telehealth providers to meet patients where they are for the provision of services, including for

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<sup>1</sup> ATA Policy Principles, July 22, 2020. <https://www.americantelemed.org/policies/ata-policy-principles/>



establishing practitioner-patient relationships, so long as those services are capable of meeting the standard of care. AB 198 also makes clear that non-physician providers, such as advanced registered nurse practitioners, physician assistants, and all persons authorized to practice a health profession treating Nevada patients, may use telehealth technologies to deliver care where appropriate.

ATA Action also strongly supports how this legislation better enables the delivery of telehealth services across state lines, so long as that provider is licensed or registered in Nevada. ATA Action believes that patients should be able to receive virtual care from their preferred provider, regardless of that provider's physical location, so long as the practitioners are utilizing the appropriate technology to uphold the established standard of care and can still be held accountable by the appropriate Boards and state agencies should any issues arise from treatment. The legislation would enact a streamlined registration system, as an alternative to licensure, to authorize out-of-state practitioners in good standing to deliver care via telehealth. The bill also defines the circumstances – much like the recent Federation of State Medical Boards' Appropriate Use of Telemedicine Technologies in the Practice of Medicine<sup>2</sup> – in which out-of-state practitioners may deliver care without any licensure or registration. While the legislation would allow more opportunities for cross-border care to address workforce shortages and patients' access, the bill still maintains patient safety by reinforcing Nevada's professional standards and authority for Nevada health boards to oversee out-of-state providers.

Thank you for your support for telehealth. We encourage you and your colleagues to support AB 198 to ensure easy and efficient access to high-quality health care services in Nevada. Please do not hesitate to let us know how we can be helpful to your efforts to advance common-sense telehealth policy. If you have any questions or would like to discuss the telehealth 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 blue circular stamp.

Kyle Zebley  
Executive Director  
ATA Action

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<sup>2</sup> The Appropriate Use of Telemedicine Technologies in the Practice of Medicine, The Federation of State Medical Boards Workgroup on Telemedicine, April 2022. <https://www.fsmb.org/siteassets/advocacy/policies/fsmb-workgroup-on-telemedicineapril-2022-final.pdf>