
DIGEST

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Ortego

HB No. 1003

Abstract: Expands the definition of telemedicine to include the use of asynchronous store-and-forward technology by a health care practitioner, located at a site other than the site where the patient is located, to provide a consultation relating to the health care diagnosis or treatment of the patient.

Present law defines "telemedicine" as the practice of health care delivery, diagnosis, consultation, treatment, and transfer of medical data using interactive telecommunication technology that enables a health care practitioner and a patient at two locations separated by distance to interact via two-way video and audio transmissions simultaneously.

Proposed law retains present law and expands the definition of "telemedicine" to include the use of asynchronous store-and-forward technology by a health care practitioner, located at a site other than the site where the patient is located, to provide a consultation relating to the health care diagnosis or treatment of the patient.

Present law provides that neither a telephone conversation nor an electronic mail message between a health care practitioner and patient, or a true consultation constitutes telemedicine.

Proposed law retains present law but clarifies the phrase "true consultation" by changing it to "informal consultation or second opinion".

Present law requires any person authorized by the La. State Board of Medical Examiners to practice telemedicine to ensure that a La. licensed health care professional who can adequately and accurately assist is in the examination room with the patient at the time the patient is receiving telemedicine services.

Proposed law retains present law but adds an exemption for the practice of telemedicine by a health care practitioner, located at a site other than the site where the patient is located, using asynchronous store-and-forward technology to provide a consultation relating to the health care diagnosis or treatment of a patient.

Present law requires a physician, when examining a patient by telemedicine, to establish a bona fide physician-patient relationship by conducting an appropriate examination of the patient as determined by the board.

Proposed law retains present law but further provides that an examination conducted for the

purposes of providing a consultation relating to the health care diagnosis or treatment of a patient shall not require that the physician or other health care professional be present with the patient but may include but not be limited to review of any relevant history, examination by electronic means using a secure video line, laboratory or diagnostic studies, review of diagnoses, or other information deemed pertinent by the physician.

(Amends R.S. 37:1262(4) and 1276.1(B)(2)(a); Adds R.S. 37:1271(B)(3))