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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

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SB 66 Original

DIGEST  
2023 Regular Session

Fred Mills

Present law provides for the practice of telemedicine by physicians and the practice of telehealth by all other healthcare providers. Proposed law repeals provisions relative to telemedicine and specifies that telehealth includes a physician's practice of medicine when conducted through electronic communications.

Present law authorizes each state agency or professional or occupational licensing board or commission that regulates the practice of a healthcare provider to promulgate any rules necessary to provide for, promote, and regulate the use of telehealth in the delivery of healthcare services within the scope of practice regulated by the licensing entity. Proposed law changes the authorization to a requirement for the state agency or professional or occupational licensing board or commission to promulgate rules for telehealth.

Present law provides for the minimum content of the rules to be promulgated by the regulatory state agency or professional or occupational licensing board or commission. Proposed law retains present law and adds a prohibition on any requirement for an in-person patient history or physical examination of the patient before engaging in a telehealth encounter unless the healthcare provider is prescribing a controlled dangerous substance. Proposed law further provides for exceptions to the requirement for an in-person patient history or physical examination when prescribing a controlled dangerous substance.

Proposed law makes technical changes in present law to update references from telemedicine to telehealth to conform with proposed law.

Effective January 1, 2024.

(Amends R.S. 22:11(C)(1)(a)(i), 1821(F)(1) and (2), 1841(3), 1842(A)(1) and (B), and 1843(A)(2) and (B)(1)(a)(ii) and (b)(i) and (iv), R.S. 28:53(B)(1), 53(B)(4)(intro para), 53(F), (G)(2), 53(G)(7)(a)(intro para) and 53(G)(7)(b)(intro para) and 53(G)(7)(b)(ii), and (J)(1), R.S. 37:1262(4), 1271, 1271.1(A)(intro para), 1271.1(A)(2) and (3), 1285.2(D)(2), R.S. 40:1046(K), 1165.2(B), 1167.2(6), 1167.4(E) and (F), 1223.2(3), 1223.3(3) and (5), 1223.4(A) and (B)(3), 1223.5, 1237.1(A)(9)(a)(ii)(bb), and 2195.1(A)(6), and R.S. 46:978.1(2); adds R.S. 40:1223.4(B)(5)-(7); repeals R.S. 22:1841(6) and R.S. 37:1276.1)