

SECOND REGULAR SESSION

HOUSE BILL NO. 2350

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BURLISON.

5924H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to telehealth services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.1145, to read as follows:

**191.1145. 1. As used in this chapter, the term “telehealth” or “telemedicine” shall
2 mean the delivery of health care services by means of information and communication
3 technologies consisting of telephones, remote patient monitoring devices, real-time two-way
4 electronic audio-visual communications, and other electronic means, including the
5 application of secure video conferencing and asynchronous store-and-forward technology,
6 to provide or support the delivery of health care services that facilitate the assessment,
7 diagnosis, consultation, treatment, education, care management, and self-management of
8 a patient’s health care while such patient is at an originating site and the health care
9 provider is at a distant site.**

10 **2. Any licensed health care provider shall be authorized to provide telehealth
11 services if such services are within the scope of practice for which the health care provider
12 is licensed and are provided under the same standard of care as services provided in
13 person.**

14 **3. Any health care provider located outside the state shall be authorized to provide
15 telehealth services to a patient located in the state if the health care provider has examined
16 the patient in person previously and if the provider is certified or licensed and in good
17 standing with the applicable regulatory board in the state in which he or she is practicing.
18 The certifying, licensing, or regulatory board or entity in Missouri that would certify,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 **license, or regulate such health care provider if the health care provider was located in**
20 **Missouri shall have the authority to regulate such health care provider as if the provider**
21 **was certified, licensed, or regulated in Missouri. Any entity that certifies, licenses, or**
22 **regulates health care providers in this state may promulgate rules and regulations to**
23 **implement the provisions of this subsection. Any rule or portion of a rule, as that term is**
24 **defined in section 536.010, that is created under the authority delegated in this section shall**
25 **become effective only if it complies with and is subject to all of the provisions of chapter**
26 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
27 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
28 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
29 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
30 **after August 28, 2016, shall be invalid and void.**

31 **4. Nothing in this section shall be construed to allow the provision of telehealth**
32 **services in the inducement of an abortion as prohibited under section 188.021.**

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