

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1617, Page 1, Section A, Line 3, by
2 inserting immediately after said section and line the following:

3
4 191.1145. 1. As used in sections 191.1145 and 191.1146, the following terms shall mean:

5 (1) "Asynchronous store-and-forward transfer", the collection of a patient's relevant health
6 information and the subsequent transmission of that information from an originating site to a health
7 care provider at a distant site without the patient being present;

8 (2) "Clinical staff", any health care provider licensed in this state;

9 (3) "Distant site", a site at which a health care provider is located while providing health
10 care services by means of telemedicine;

11 (4) "Health care provider", as that term is defined in section 376.1350;

12 (5) "Originating site", a site at which a patient is located at the time health care services are
13 provided to him or her by means of telemedicine. For the purposes of asynchronous store-and-
14 forward transfer, originating site shall also mean the location at which the health care provider
15 transfers information to the distant site;

16 (6) "Telehealth" or "telemedicine", the delivery of health care services by means of
17 information and communication technologies which facilitate the assessment, diagnosis,
18 consultation, treatment, education, care management, and self-management of a patient's health care
19 while such patient is at the originating site and the health care provider is at the distant site.
20 Telehealth or telemedicine shall also include the use of asynchronous store-and-forward technology.

21 2. Any licensed health care provider shall be authorized to provide telehealth services if
22 such services are within the scope of practice for which the health care provider is licensed and are
23 provided with the same standard of care as services provided in person. This section shall not be
24 construed to prohibit a health carrier, as defined in section 376.1350, from reimbursing non-clinical
25 staff for services otherwise allowed by law.

26 3. In order to treat patients in this state through the use of telemedicine or telehealth, health
27 care providers shall be fully licensed to practice in this state and shall be subject to regulation by
28 their respective professional boards.

29 4. Nothing in subsection 3 of this section shall apply to:

30 (1) Informal consultation performed by a health care provider licensed in another state,
31 outside of the context of a contractual relationship, and on an irregular or infrequent basis without
32 the expectation or exchange of direct or indirect compensation;

33 (2) Furnishing of health care services by a health care provider licensed and located in
34 another state in case of an emergency or disaster; provided that, no charge is made for the medical
35 assistance; or

36 (3) Episodic consultation by a health care provider licensed and located in another state who

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1 provides such consultation services on request to a physician in this state.

2 5. Nothing in this section shall be construed to alter the scope of practice of any health care
3 provider or to authorize the delivery of health care services in a setting or in a manner not otherwise
4 authorized by the laws of this state.

5 6. No originating site for services or activities provided under this section shall be required
6 to maintain immediate availability of on-site clinical staff during the telehealth services, except as
7 necessary to meet the standard of care for the treatment of the patient's medical condition if such
8 condition is being treated by an eligible health care provider who is not at the originating site, has
9 not previously seen the patient in person in a clinical setting, and is not providing coverage for a
10 health care provider who has an established relationship with the patient.

11 7. Nothing in this section shall be construed to alter any collaborative practice requirement
12 as provided in chapters 334 and 335."; and

13
14 Further amend said bill and page, Section 208.670, Lines 7 to 9, by deleting said lines and inserting
15 in lieu thereof the word "191.1145"; and

16
17 Further amend said bill, Line 13, by inserting after the words "section 191.1145" the words "or as
18 the term "home telemonitoring service" is defined in section 208.686"; and

19
20 Further amend said bill and section, Page 2, Line 31, by inserting after the word "person." the
21 following:

22
23 "The department shall not restrict the originating site through rule or payment so long as the
24 provider can ensure services are rendered meeting the standard of care that would otherwise be
25 expected should such services be provided in person."; and

26
27 Further amend said bill, page, and section, Lines 40 to 50, by deleting said lines and inserting in lieu
28 thereof the words "should such services be provided in person."; and

29
30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.