

## Telemedicine Frequently Asked Questions

- What is telemedicine?

In Texas, telemedicine involves a health care provider's medical care delivered to patients physically located at sites other than where the provider is located, with the use of technology that allows the provider to communicate with and see and hear the patients in "real" time.

- Who may treat a patient in Texas using telemedicine?

A physician; physician assistant or advanced practice nurse who is supervised by and has delegated authority from a physician may treat a patient using telemedicine. Such a provider is referred to under the rules as a "distant site provider." All distant site providers must be licensed to practice in Texas.

- May telemedicine services be used to treat chronic pain with scheduled drugs?

No.

- Where may telemedicine care be provided?

If a patient is being seen for the very first time by a distant site provider, or is presenting with a new condition, telemedicine may only be used at a location that has qualified staff present and sufficient technology and medical equipment to allow the distant site provider to conduct an adequate physical evaluation. Such a location is referred to under the Board rules as an "established medical site."

If not at an established medical site, a distant site provider will be permitted to provide medical care using telemedicine, contingent upon the following requirements being met:

Follow up care for an established patient's previously diagnosed condition. The provider will be allowed to provide telemedicine care to a patient at a site other than an established medical site, contingent upon the provider having previously diagnosed the condition either through an in-person evaluation (meaning, while at the same physical location as the patient) or an evaluation conducted at an established medical site.

Referral by a physician who completed a proper evaluation. The provider will be allowed to provide telemedicine care to a patient at a site other than an established medical site, contingent upon the patient having received an evaluation either in-person or at an established medical site by another physician who referred the patient to the provider for additional care.

Established patient with new condition advised to seek appropriate follow up care. The provider will be allowed to provide telemedicine care for an established patient's new

condition at a site other than an established medical site, if the distant site provider advises the patient to see a physician (either at an established medical site or in-person) within 72 hours if the symptoms do not resolve, and provides no additional care for such symptoms if the patient is not seen by such a physician.

- What requirements must be met in order for a distant site provider to provide medical care via telemedicine?

In order to provide medical care via telemedicine, a distant site provider must in all cases establish a physician-patient relationship, which at a minimum includes:

- establishing that the person requesting the treatment is in fact who the person claims to be;
- establishing a diagnosis through the use of acceptable medical practices, including documenting and performing patient history, mental status examination, appropriate diagnostic and laboratory testing, and for medical care other than mental health services, a physical examination;
- discussing with the patient the diagnosis and the evidence for it, the risks and benefits of various treatment options; and
- ensuring the availability of the distant site provider or coverage of the patient for appropriate follow-up care.

In addition, the care must be provided at an appropriate location and—unless an exception applies—include the presence of qualified staff (also referred to as “patient site presenters”) to assist in the evaluation of the patient. Treatment and consultation recommendations made via telemedicine are held to the same standards of acceptable medical practices as those made in the traditional in-person clinical settings.

More information may be found at <http://www.tmb.state.tx.us/faq>