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An Act To Increase Access to Health Care through Telemedicine

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §3300-D is enacted to read:

§ 3300-D. Interstate practice of telemedicine

1. Definition. For the purposes of this section, "telemedicine" has the same meaning as in Title 24-A, section 4316, subsection 1.

2. Requirements. A physician not licensed to practice medicine in this State may provide medical services through interstate telemedicine to a patient located in this State if the physician is registered in accordance with subsection 3. A physician intending to provide medical services in this State through interstate telemedicine shall provide any information requested by the board and complete information on:

- A. All states and jurisdictions in which the physician is currently licensed;
- B. All states and jurisdictions in which the physician was previously licensed; and
- C. All negative licensing actions taken previously against the physician in any state or jurisdiction.

3. Registration. The board may register a physician to practice medicine in this State through interstate telemedicine if the following conditions are met:

- A. The physician is licensed without restriction to practice medicine in the state from which the physician provides telemedicine services;
- B. The physician has not had a license to practice medicine revoked or restricted in any state or jurisdiction;
- C. The physician does not open an office in this State, does not meet with patients in this State and does not receive calls in this State from patients;
- D. The physician annually registers with the board, on a form provided by the board; and
- E. The physician pays a registration fee as determined by the board.

4. Notification of restrictions. A physician registered to provide interstate telemedicine services under this section shall immediately notify the board of restrictions placed on the physician's license to practice medicine in any state or jurisdiction.

5. Jurisdiction. In registering to provide interstate telemedicine services to residents of this State under this section, a physician agrees to be subject to the laws and judicial system of this State and board rules with respect to providing medical services to residents of this State.

6. Exemptions from registration. A physician who is not licensed to practice medicine in this State but holds a valid license to practice medicine in another state or jurisdiction and provides interstate telemedicine services to a patient located in this State is not subject to the registration requirement of subsection 3, paragraph D if the physician:

A. Obtains a temporary license from the board pursuant to section 3276; or

B. Provides interstate telemedicine services in this State in consultation with a physician licensed in this State and the physician licensed in this State retains ultimate authority over the diagnosis and care of the patient.

7. Notification to other states. The board shall obtain confirmation of licensure from all states and jurisdictions in which a physician applying for registration has ever been licensed prior to registering the physician pursuant to subsection 3. The board shall request notification from a state or jurisdiction if future adverse action is taken against the physician's license in that state or jurisdiction.

SUMMARY

This bill authorizes the Board of Licensure in Medicine to register a physician not licensed to practice medicine in this State to provide medical services through interstate telemedicine to patients in this State if certain requirements are met.