

By the Committee on Health Care Licensing & Regulation and Representative Boyd

1 A bill to be entitled
2 An act relating to medical practice; providing
3 legislative intent; creating the Task Force on
4 Telehealth; providing for appointment of
5 members; providing for administrative support
6 by the Department of Health; providing duties;
7 requiring a report; providing for termination;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Task Force on Telehealth.--

13 (1) Because telecommunications technology has made it
14 possible to provide a wide range of health care services
15 across state lines between health care practitioners and
16 patients, it is the intent of the Legislature to protect the
17 health and safety of all patients in this state receiving
18 services by means of such technology and to ensure the
19 accountability of the health care professions with respect to
20 unsafe and incompetent practitioners using such technology to
21 provide health care services to patients in this state.

22 (2) The Secretary of Health shall appoint a task force
23 consisting of representatives from the affected medical and
24 allied health professions and other affected health care
25 industries, and the Department of Health shall provide
26 administrative support to the task force.

27 (3) The task force shall address the following:

28 (a) Identification of various electronic
29 communications or telecommunications technologies currently
30 used within the state and by other states to provide health
31 care information.

1 (b) Identification of laws, regulations, and
2 reimbursement practices that serve as barriers to
3 implementation of electronic communications related to health
4 care.

5 (c) Recommendation of the appropriate level of
6 regulation of health care professionals necessary to protect
7 the health and safety of patients in this state, including
8 analysis of existing provisions governing in-state
9 professionals such as licensing, financial responsibility, and
10 medical malpractice insurance requirements.

11 (d) Potential preemption of state regulation by the
12 Commerce Clause of the United States Constitution.

13 (e) The effect of telehealth on access to health care
14 in rural and underserved areas.

15 (f) Potential antitrust concerns.

16 (g) The effect of regulations by other states or
17 jurisdictions on health care professionals in this state who
18 provide consultative services through telehealth to entities
19 and patients outside this state.

20 (h) Research on other public and private data and
21 initiatives related to telehealth.

22 (i) Any other issue affecting the health, safety, and
23 welfare of patients through telehealth identified by the task
24 force.

25 (4) The task force shall submit a report of its
26 findings and recommendations by January 1, 2000, to the
27 Governor, the President of the Senate, and the Speaker of the
28 House of Representatives and shall be terminated upon
29 submission of the report.

30 Section 2. This act shall take effect upon becoming a
31 law.