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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/11/2014	.	
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Appropriations Subcommittee on Health and Human Services  
(Garcia) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 131 - 217  
and insert:

(3) Consultations that occur on an emergency basis and that are conducted via telemedicine are exempt from subsection (1). As used in this paragraph the term "emergency basis" refers to the provision of "emergency services and care" for an "emergency medical condition" as those terms are defined in s. 395.002.

(4) A telemedicine provider must maintain professional



387622

11 liability coverage that includes coverage for telemedicine  
12 services in an amount and manner consistent with s.  
13 458.320(1)(b) or s. 459.0085(1)(b), or in the amount required by  
14 the applicable law in an out-of-state telemedicine provider's  
15 licensing jurisdiction, whichever is greater.

16 (5) A health care provider or patient presenter acting  
17 under the direction and supervision of a telemedicine provider  
18 through the use of telemedicine may not be interpreted as  
19 practicing without a license. However, the health care provider  
20 must be trained in, educated on, and knowledgeable about the  
21 procedure and technology and may not perform duties for which he  
22 or she does not have sufficient training, education, and  
23 knowledge. Failure to have adequate training, education, and  
24 knowledge is grounds for disciplinary action by the appropriate  
25 board, or the department if there is no board, or the affiliated  
26 regulatory entity for affiliated providers.

27 (6) Upon license renewal, a physician, physician assistant,  
28 advanced registered nurse practitioner, or pharmacist practicing  
29 telemedicine shall:

30 (a) Designate himself or herself as a telemedicine provider  
31 on the practitioner profile; and

32 (b) Submit proof of successful completion of a course and  
33 subsequent examination, approved by the board, on the standards  
34 of practice in telemedicine. The course must consist of 2 web-  
35 based contact hours. The first course and examination shall be  
36 offered by July 1, 2014, and conducted at least annually  
37 thereafter. The course and examination shall be developed and  
38 offered by a statewide professional association accredited to  
39 provide educational activities as designated by the board. The



387622

40 board shall review and approve the content of the initial course  
41 and examination if the board determines that the course and  
42 examination adequately and reliably satisfy the criteria  
43 specified in this section. Annually thereafter, the board shall  
44 review the course and examination and, if the board determines  
45 that the content continues to adequately and reliably satisfy  
46 the criteria specified in this section, approve them. Successful  
47 completion of the board-approved course and examination may be  
48 used to satisfy 2 hours of continuing education requirements for  
49 the biennial period during which the board-approved course and  
50 examination are taken. A physician, physician assistant,  
51 advanced registered nurse practitioner, or pharmacist who does  
52 not complete a board-approved course and examination under this  
53 section may not provide telemedicine services.

54 (7) Venue for a civil or administrative action initiated by  
55 the telemedicine recipient, the department, or the appropriate  
56 board shall be based on the location of the patient or shall be  
57 in Leon County.

58 (8) The boards may adopt rules to administer the

59  
60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62 Delete lines 9 - 11

63 and insert:

64 and consultations; requiring telemedicine providers to  
65 maintain professional liability coverage for  
66 telemedicine services;