

1                                   A bill to be entitled  
 2           An act relating to out-of-state telehealth providers;  
 3           telecommunications; amending s. 456.47, F.S.; revising  
 4           the definition of "telehealth"; revising an exemption  
 5           for certain health care professionals to provide  
 6           health care services using telehealth in this state  
 7           under certain conditions; providing an effective date.

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

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 11           Section 1. Paragraph (a) of subsection (1) and paragraph  
 12           (b) of subsection (6) of section 456.47, Florida Statutes, are  
 13           amended to read:

14           456.47 Use of telehealth to provide services.—

15           (1) DEFINITIONS.—As used in this section, the term:

16           (a) "Telehealth" means the use of synchronous or  
 17           asynchronous telecommunications technology by a telehealth  
 18           provider to provide health care services, including, but not  
 19           limited to, assessment, diagnosis, consultation, treatment, and  
 20           monitoring of a patient; transfer of medical data; patient and  
 21           professional health-related education; public health services;  
 22           and health administration. The term does not include ~~audio-only~~  
 23           ~~telephone calls~~, e-mail messages, or facsimile transmissions.

24           (6) EXEMPTIONS.—A health care professional who is not  
 25           licensed to provide health care services in this state but who

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26 | holds an active license to provide health care services in  
27 | another state or jurisdiction, and who provides health care  
28 | services using telehealth to a patient located in this state, is  
29 | not subject to the registration requirement under this section  
30 | if the services are provided:

31 |       (b) In consultation with a health care professional  
32 | licensed in this state ~~who has ultimate authority over the~~  
33 | ~~diagnosis and care of the patient.~~

34 |       Section 2. This act shall take effect July 1, 2021.