A bill to be entitled
An act relating to telemedicine services; creating s. 456.4501, F.S.; defining the term “telemedicine services”; authorizing an emergency medical technician, a paramedic, or a health care practitioner to provide telemedicine services through the use of certain telecommunications technology to a patient who is a resident of this state; requiring telemedicine services to be covered by specified Medicaid programs in the same manner as services provided to a recipient in person; prohibiting the prescription of controlled substances for certain chronic nonmalignant pain through the use of telemedicine services; authorizing the Department of Health and any applicable regulatory board to adopt rules to administer the section; specifying that such rules may not prohibit the use of telemedicine services; prohibiting the regulation of telemedicine services from being construed to restrict the delivery of certain emergency medical services; providing an effective date.

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

Section 1. Section 456.4501, Florida Statutes, is created to read:

456.4501 Use of telemedicine services.—
(1) As used in this section, the term “telemedicine services” means the use of synchronous or asynchronous telecommunications technology to perform services that include,
but are not limited to, patient assessment, diagnosis, consultation, treatment, and monitoring, the transfer of medical data, and the provision of patient and professional health-related education. The term does not include audio-only transmissions, e-mail messages, or facsimile transmissions.

(2) An emergency medical technician or a paramedic certified pursuant to s. 401.27 or a health care practitioner may provide telemedicine services to a patient who is a resident of this state. Such services shall be covered by Medicaid under parts III and IV of chapter 409 in the same manner as services that are provided to a recipient in person.

(3) A controlled substance as defined in s. 893.02 may not be prescribed for chronic nonmalignant pain as defined in s. 456.44 through the use of telemedicine services.

(4) Rules to administer this section may be adopted by the department for emergency medical technicians and paramedics certified pursuant to s. 401.27 and health care practitioners who are not subject to regulation by a board, and by any applicable health care practitioner board. Such rules may not prohibit the use of telemedicine services.

(5) This section may not be construed to restrict the delivery of emergency medical services as defined in s. 401.107.

Section 2. This act shall take effect July 1, 2015.