

By Senators Bean and Joyner

4-00604-15

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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,

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30 but are not limited to, patient assessment, diagnosis,
31 consultation, treatment, and monitoring, the transfer of medical
32 data, and the provision of patient and professional health-
33 related education. The term does not include audio-only
34 transmissions, e-mail messages, or facsimile transmissions.

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

41 (3) A controlled substance as defined in s. 893.02 may not
42 be prescribed for chronic nonmalignant pain as defined in s.
43 456.44 through the use of telemedicine services.

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

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

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