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LEGISLATIVE ACTION

Senate

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House

Senator Brandes moved the following:

Senate Amendment (with title amendment)

Before line 11

insert:

Section 1. Section 401.269, Florida Statutes, is created to
read:

401.269 Telehealth protocols.—

(1) As used in this section, the term:

(a) "Approved physician" means a physician at a hospital
who is approved to supervise through telehealth the provision of
emergency care and nonemergent onsite care by a paramedic or an



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emergency medical technician, pursuant to an agreement between the paramedic's or emergency medical technician's medical director and the physician's employing hospital.

(b) "Hospital" has the same meaning as in s. 395.002.

(c) "Telehealth" has the same meaning as in s. 456.47.

(2) A medical director may enter into an agreement with any local hospital for the provision of telehealth services. The agreement must specify, at a minimum, a list of physicians approved to supervise through telehealth the provision of emergency care and nonemergent onsite care by a paramedic or an emergency medical technician and the telehealth protocols to be employed during the provision of such care.

(3) Paramedics and emergency medical technicians may consult with their medical director or an approved physician through telehealth to assist in providing emergency care within the scope of their training to a person on site or during transport.

(4) If a paramedic or an emergency medical technician responds to an emergency call and finds that the person in need of assistance is not experiencing an emergency but would benefit from immediate medical attention, the paramedic or emergency medical technician may facilitate a telehealth visit with his or her medical director or an approved physician and assist the physician in providing any onsite care within the paramedic's or emergency medical technician's scope of training, as applicable.

(5) Physicians supervising or providing medical direction through telehealth to a paramedic or an emergency medical technician must specify telehealth protocols as part of their formal supervisory relationship or standing orders described in



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s. 401.265, s. 458.348, or s. 459.025. The telehealth protocols must address situations in which the paramedic or emergency medical technician consults with or facilitates a telehealth visit with an approved physician under this section.

(6) A physician who supervises or provides medical direction through telehealth to a paramedic or an emergency medical technician providing emergency care or nonemergent onsite care under this section is liable for any act or omission of the paramedic or emergency medical technician acting under the physician's supervision or medical direction when providing such care.

(7) The department shall publish and update annually on its website a list of best practices for the provision of emergency care and nonemergent onsite care through telehealth.

(8) The department shall adopt rules necessary to implement this section.

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

And the title is amended as follows:

Delete line 2
and insert:

An act relating to telehealth; creating s. 401.269, F.S.; defining terms; authorizing medical directors to enter into agreements with local hospitals for the provision of telehealth services; providing minimum requirements for such agreements; authorizing paramedics and emergency medical technicians to consult with their medical director or an approved physician through telehealth to assist in providing



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70 certain emergency care; authorizing paramedics and
71 emergency medical technicians to facilitate a
72 telehealth visit with their medical director or an
73 approved physician under certain circumstances;
74 authorizing paramedics and emergency medical
75 technicians to assist such physicians with providing
76 any onsite care within their scope of practice, as
77 applicable; requiring physicians to specify telehealth
78 protocols for paramedics and emergency medical
79 technicians they supervise or provide medical
80 direction to through telehealth; specifying liability
81 of a physician or medical director who supervises or
82 directs through telehealth the provision of emergency
83 or nonemergent onsite care by a paramedic or an
84 emergency medical technician; requiring the Department
85 of Health to publish and update annually on its
86 website a list of certain best practices; requiring
87 the department to adopt rules; amending s. 456.47,