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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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01/26/2022 02:14 PM

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

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

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

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

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

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

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



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

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

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

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

57
58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete line 2

61 and insert:

62 An act relating to telehealth; creating s. 401.269,
63 F.S.; defining terms; authorizing medical directors to
64 enter into agreements with local hospitals for the
65 provision of telehealth services; providing minimum
66 requirements for such agreements; authorizing
67 paramedics and emergency medical technicians to
68 consult with their medical director or an approved
69 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,