

By Senator Diaz

36-00376-22

2022312\_\_

1                   A bill to be entitled  
2       An act relating to telehealth; amending s. 456.47,  
3       F.S.; revising the definition of the term  
4       "telehealth"; narrowing the prohibition on prescribing  
5       controlled substances through telehealth to include  
6       only specified controlled substances; providing an  
7       effective date.

8  
9   Be It Enacted by the Legislature of the State of Florida:

10  
11       Section 1. Paragraph (a) of subsection (1) and paragraph  
12       (c) of subsection (2) 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       (2) PRACTICE STANDARDS.—

25       (c) A telehealth provider may not use telehealth to  
26       prescribe a controlled substance listed in Schedule II of s.  
27       893.03 unless the controlled substance is prescribed for the  
28       following:

29       1. The treatment of a psychiatric disorder;

36-00376-22

2022312\_\_

30           2. Inpatient treatment at a hospital licensed under chapter  
31 395;

32           3. The treatment of a patient receiving hospice services as  
33 defined in s. 400.601; or

34           4. The treatment of a resident of a nursing home facility  
35 as defined in s. 400.021.

36           Section 2. This act shall take effect July 1, 2022.