

**ARKANSAS SENATE**  
93rd General Assembly - Regular Session, 2021  
**Amendment Form**

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**Subtitle of House Bill No. 1063**

TO AMEND THE TELEMEDICINE ACT; AND TO AUTHORIZE ADDITIONAL REIMBURSEMENT FOR  
TELEMEDICINE VIA TELEPHONE.

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**Amendment No. 1 to House Bill 1063**

Amend House Bill No. 1063 as engrossed H2/10/21 (version: 02/10/2021 10:13:51 AM):

Page 1, line 11, delete "TELEPHONE;" and substitute "TELEPHONE; TO DECLARE AN  
EMERGENCY;"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE TELEMEDICINE ACT; TO  
AUTHORIZE ADDITIONAL REIMBURSEMENT FOR  
TELEMEDICINE VIA TELEPHONE; AND TO  
DECLARE AN EMERGENCY."

AND

Page 2, delete line 14, and substitute the following:  
"State Medical Board;"

AND

Page 2, delete lines 19 and 20, and substitute the following:  
"telephone; or

(H) Notwithstanding § 17-80-403(c), a healthcare  
professional who is licensed in this state utilizes any telemedicine  
technology sufficient to evaluate and appropriate to treat a patient in this  
state for the condition as presented if the healthcare professional:

(i) Verifies the identity of the patient receiving  
healthcare services through telemedicine;

(ii) Discloses to the patient the healthcare  
professional's name, contact information, and type of healthcare professional  
license held by the healthcare professional;



(iii) Obtains oral or written consent from the patient or the parent or legal guardian of the patient if state law requires consent; and

(iv) Meets the same standards of care that are applicable to in-person healthcare settings;

SECTION 2. Arkansas Code § 17-80-403(c), concerning the establishment"

AND

Page 3, line 29, delete "(i)" and substitute "(i)(a)"

AND

Page 3, delete line 32, and substitute the following:

"service that would otherwise be covered by the health benefit plan.

(b) As with other medical services covered by a health benefit plan, documentation of the engagement between patient and provider via audio-only communication shall be placed in the medical record addressing the problem, content of conversation, medical decision-making, and plan of care after the contact.

(c) The documentation described in subdivision (7)(C)(i)(b) of this section is subject to the same audit and review process required by payers and governmental agencies when requesting documentation of other care delivery such as in-office or face-to-face visits;"

AND

Page 4, line 15, delete "or financial incentive of any kind"

AND

Page 4, delete line 18, and substitute the following:

"person's regular doctor or provider of choice.

SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that due to the coronavirus 2019 (COVID-19) pandemic, the Governor removed barriers to the use of telemedicine in an attempt to combat the coronavirus 2019 (COVID-19) pandemic; that these emergency actions will expire when the emergency proclamation expires, which could occur quickly; that on February 26, 2021, the Governor announced that the public health emergency was extended but that the Governor was going to lift some regulations related to the pandemic; that removing barriers to the use of telemedicine ensured that the citizens of Arkansas had the services that they needed, and removing these emergency proclamations regarding telemedicine would greatly disadvantage and harm the citizens of Arkansas who are utilizing telemedicine for healthcare services; that this bill maintains the policy changes allowed under the emergency proclamation, which would allow the citizens of Arkansas greater access to the use of telemedicine for healthcare services; and that this act is immediately necessary to ensure that the citizens of Arkansas have access to healthcare services provided via

telemedicine. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Hester

JMB/JMB - 03-08-2021 13:37:26

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Secretary