

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H3/14/19

A Bill

HOUSE BILL 1220

5 By: Representatives Sullivan, Gonzales
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For An Act To Be Entitled

8 AN ACT TO AMEND THE TELEMEDICINE ACT; TO ENSURE THAT
9 TELEMEDICINE IS THE LEAST RESTRICTIVE METHOD TO
10 DELIVER HEALTHCARE SERVICES REMOTELY; TO EXPAND THE
11 DEFINITION OF "PROFESSIONAL RELATIONSHIP"; TO
12 INCREASE ACCESS TO TELEMEDICINE HEALTHCARE SERVICES;
13 AND FOR OTHER PURPOSES.
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Subtitle

16 TO AMEND THE TELEMEDICINE ACT; TO ENSURE
17 THAT TELEMEDICINE IS THE LEAST
18 RESTRICTIVE METHOD TO DELIVER HEALTHCARE
19 SERVICES REMOTELY; AND TO EXPAND THE
20 DEFINITION OF "PROFESSIONAL
21 RELATIONSHIP".
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 *SECTION 1. Arkansas Code § 17-80-402(4), concerning the definition of*
28 *"professional relationship" in the Telemedicine Act, is amended to read as*
29 *follows:*

30 (4) "Professional relationship" means at minimum a relationship
31 established between a healthcare professional and a patient when:

32 (A) The healthcare professional has previously conducted
33 an in-person examination and is available to provide appropriate follow-up
34 care, when necessary, at medically necessary intervals;

35 (B) The healthcare professional personally knows the
36 patient and the patient's relevant health status through an ongoing personal



1 or professional relationship and is available to provide appropriate follow-
2 up care, when necessary, at medically necessary intervals;

3 (C) The treatment is provided by a healthcare professional
4 in consultation with, or upon referral by, another healthcare professional
5 who has an ongoing relationship with the patient and who has agreed to
6 supervise the patient's treatment, including follow-up care;

7 (D) An on-call or cross-coverage arrangement exists with
8 the patient's regular treating healthcare professional or another healthcare
9 professional who has established a professional relationship with the
10 patient;

11 (E) A relationship exists in other circumstances as
12 defined by rule of the Arkansas State Medical Board for healthcare
13 professionals under its jurisdiction and their patients, including a
14 relationship established with store-and-forward technology in conjunction
15 with audio interaction and review of clinical information; or

16 (F) A relationship exists in other circumstances as
17 defined by rule of a licensing or certification board for other healthcare
18 professionals under the jurisdiction of the appropriate board and their
19 patients if the rules are no less restrictive than the rules of the Arkansas
20 State Medical Board;

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22 /s/Sullivan
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