

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

---

Legislative Document

No. 662

---

H.P. 443

House of Representatives, March 3, 2015

### **An Act To Increase Access to Health Care through Telemedicine**

---

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, reading "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FOLEY of Wells.  
Cosponsored by Senator GRATWICK of Penobscot and  
Representatives: GERRISH of Lebanon, HYMANSON of York, PRESCOTT of Waterboro,  
SANDERSON of Chelsea, SIROCKI of Scarborough.

1       **Be it enacted by the People of the State of Maine as follows:**

2               **Sec. 1. 32 MRSA §3300-D** is enacted to read:

3       **§3300-D. Interstate practice of telemedicine**

4               **1. Definition.** For the purposes of this section, "telemedicine" has the same meaning  
5 as in Title 24-A, section 4316, subsection 1.

6               **2. Requirements.** A physician not licensed to practice medicine in this State may  
7 provide medical services through interstate telemedicine to a patient located in this State  
8 if the physician is registered in accordance with subsection 3. A physician intending to  
9 provide medical services in this State through interstate telemedicine shall provide any  
10 information requested by the board and complete information on:

11               A. All states and jurisdictions in which the physician is currently licensed;

12               B. All states and jurisdictions in which the physician was previously licensed; and

13               C. All negative licensing actions taken previously against the physician in any state  
14 or jurisdiction.

15               **3. Registration.** The board may register a physician to practice medicine in this  
16 State through interstate telemedicine if the following conditions are met:

17               A. The physician is licensed without restriction to practice medicine in the state from  
18 which the physician provides telemedicine services;

19               B. The physician has not had a license to practice medicine revoked or restricted in  
20 any state or jurisdiction;

21               C. The physician does not open an office in this State, does not meet with patients in  
22 this State and does not receive calls in this State from patients;

23               D. The physician annually registers with the board, on a form provided by the board;  
24 and

25               E. The physician pays a registration fee as determined by the board.

26               **4. Notification of restrictions.** A physician registered to provide interstate  
27 telemedicine services under this section shall immediately notify the board of restrictions  
28 placed on the physician's license to practice medicine in any state or jurisdiction.

29               **5. Jurisdiction.** In registering to provide interstate telemedicine services to residents  
30 of this State under this section, a physician agrees to be subject to the laws and judicial  
31 system of this State and board rules with respect to providing medical services to  
32 residents of this State.

33               **6. Exemptions from registration.** A physician who is not licensed to practice  
34 medicine in this State but holds a valid license to practice medicine in another state or  
35 jurisdiction and provides interstate telemedicine services to a patient located in this State  
36 is not subject to the registration requirement of subsection 3, paragraph D if the  
37 physician:

A. Obtains a temporary license from the board pursuant to section 3276; or

B. Provides interstate telemedicine services in this State in consultation with a physician licensed in this State and the physician licensed in this State retains ultimate authority over the diagnosis and care of the patient.

**7. Notification to other states.** The board shall obtain confirmation of licensure from all states and jurisdictions in which a physician applying for registration has ever been licensed prior to registering the physician pursuant to subsection 3. The board shall request notification from a state or jurisdiction if future adverse action is taken against the physician's license in that state or jurisdiction.

## SUMMARY

This bill authorizes the Board of Licensure in Medicine to register a physician not licensed to practice medicine in this State to provide medical services through interstate telemedicine to patients in this State if certain requirements are met.