

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 649

S.P. 255

In Senate, March 3, 2021

An Act To Expand and Promote Telehealth Services

Received by the Secretary of the Senate on March 1, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator STEWART of Aroostook.
Cosponsored by Representative MORRIS of Turner and
Senators: CLAXTON of Androscoggin, MOORE of Washington, Representative: WHITE of
Waterville.

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

2 **Sec. 1. 24-A MRSA §4316, sub-§8**, as enacted by PL 2019, c. 289, §2, is amended
3 to read:

4 **8. Telehealth equipment.** A carrier may not require a provider to use specific
5 telecommunications technology and equipment as a condition of coverage under this
6 section as long as the provider uses telecommunications technology and equipment that
7 comply with current industry interoperability standards and that comply with standards
8 required under the federal Health Insurance Portability and Accountability Act of 1996,
9 Public Law 104-191 and regulations promulgated under that Act. A provider may perform
10 a medically necessary health care service delivered through telehealth using the patient's
11 choice of telecommunications technology and equipment or, with the patient's consent, the
12 telecommunications technology and equipment that is available to the provider and the
13 patient.

14 **Sec. 2. 24-A MRSA §4316, sub-§10** is enacted to read:

15 **10. Providers outside of State.** A provider not licensed to practice medicine in the
16 State may provide telehealth to a patient in the State from another jurisdiction pursuant to
17 the provisions of Title 32, section 3300-D.

18 **Sec. 3. 32 MRSA §3300-D, sub-§1**, as enacted by PL 2015, c. 137, §1, is amended
19 to read:

20 **1. Definition.** For the purposes of this section, "telemedicine" has the same meaning
21 as "telehealth" in Title 24-A, section 4316, subsection 1, paragraph C.

22 **Sec. 4. 32 MRSA §3300-D, sub-§2**, as enacted by PL 2015, c. 137, §1, is amended
23 to read:

24 **2. Requirements.** A physician not licensed to practice medicine in this State may
25 provide ~~consultative~~ services through interstate telemedicine to a patient located in this
26 State if the physician is registered in accordance with subsection 3. A physician intending
27 to provide ~~consultative~~ services in this State through interstate telemedicine shall provide
28 any information requested by the board and complete information on:

- 29 A. All states and jurisdictions in which the physician is currently licensed;
30 B. All states and jurisdictions in which the physician was previously licensed; and
31 C. All negative licensing actions taken previously against the physician in any state or
32 jurisdiction.

33 **Sec. 5. 32 MRSA §3300-D, sub-§3**, as enacted by PL 2015, c. 137, §1, is amended
34 to read:

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

- 37 A. The physician is fully licensed without restriction to practice medicine in the state
38 from which the physician provides telemedicine services;
39 B. The physician has not had a license to practice medicine revoked or restricted in
40 any state or jurisdiction;

