

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Health and Human Services** recommends **HB 2208** be amended on page 1, by striking all in lines 13 through 36;

On page 2, by striking all in lines 1 through 5; following line 5 by inserting:

"New Section 1. (a) Notwithstanding any other provision of law, a physician holding a license issued by the applicable licensing agency of another state or who otherwise meets the requirements of this section may practice telemedicine to treat patients located in the state of Kansas, if such physician receives a telemedicine waiver issued by the state board of healing arts. The state board of healing arts shall issue such a waiver within 15 days from receipt of a complete application, if the physician:

(1) Submits a complete application that may include evidence in the form of an affidavit from an authorized third party that the applicant meets the requirements of this section in a manner determined by the state board of healing arts and pays a fee not to exceed \$100; and

(2) holds an unrestricted license to practice medicine and surgery in another state or meets the qualifications required under Kansas law for a license to practice medicine and surgery and is not the subject of any investigation or disciplinary action by the applicable licensing agency.

(b) A physician practicing telemedicine in accordance with this subsection shall conduct an appropriate assessment and evaluation of the patient's current condition and document the appropriate medical indication for any prescription issued.

(c) Nothing in this section shall supersede or otherwise affect the provisions of K.S.A.

65-4a10, and amendments thereto, or K.S.A. 2020 Supp. 40-2,210 et seq., and amendments thereto.

(d) Any person who receives a telemedicine waiver under the provisions of this section shall be subject to all rules and regulations pertaining to the practice of the licensed profession in this state and shall be considered a licensee for the purposes of the professional practice acts administered by the state board of healing arts.

(e) A waiver issued under this section shall expire on the date of expiration established by the state board of healing arts unless renewed in the manner established by the state board of healing arts, including payment of an annual renewal fee not to exceed \$100 and evidence that the applicant continues to meet the qualifications described in this section.

(f) Notwithstanding any other provision of law to the contrary, a physician holding a license issued by the applicable licensing agency of another state may provide, without limitation, consultation through remote technology to a physician licensed in the state of Kansas.

(g) An applicable healthcare licensing agency of this state may adopt procedures consistent with this section to allow other healthcare professionals licensed and regulated by such licensing agency to practice telemedicine within the scope of practice defined by Kansas law for such healthcare profession as deemed by such licensing agency to be consistent with ensuring patient safety.

(h) Nothing in this section shall be construed to prohibit a licensing agency from denying an application for a waiver under this section if the licensing body determines that granting the application may endanger the health and safety of the public.

(i) As used in this section, "telemedicine" means the delivery of healthcare services by a healthcare provider while the patient is at a different physical location.";

On page 10, in line 10, by striking all after "manual"; in line 11, by striking all before the

semicolon;

On page 14, by striking all in lines 3 through 32;

On page 34, in line 19, by striking "65-6314,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before "professions" and inserting "health professions and practices; authorizing the issuance of telemedicine waivers for the practice of telemedicine by physicians and other providers; relating to"; also in line 2, by striking "thereby" and inserting "by the behavioral sciences regulatory board"; in line 3, by striking all after the semicolon; in line 4, by striking all before "expanding"; in line 7, by striking "65-6314,"; and the bill be passed as amended.

Chairperson