



Telemedicine Overview  
*Board-by-Board Approach*

Document Summary:

- Ten (10) state boards issue a special purpose license, telemedicine license or certificate, or license to practice medicine across state lines to allow for the practice of telemedicine.
- Fifty-seven (57) state boards plus the DC Board of Medicine require that physicians engaging in telemedicine are licensed in the state in which the patient is located.
- Minnesota allows physicians to practice telemedicine if they are registered to practice telemedicine or are registered to practice across state lines.
- Nineteen (19) states require private insurance companies to cover telemedicine services to the same extent as face-to-face consultations.
- Massachusetts permits coverage for services provided through telemedicine as long as the deductible, copayment or coinsurance doesn't exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

State	Type of License Required	Legislation/Regulations/Policy Guidelines	Pending Legislation/Notes
AL	Board can issue a special purpose license to practice across state lines upon application.	<p>No person shall engage in the practice of medicine or osteopathy across state lines in this state, hold himself or herself out as qualified to do the same, or use any title, word or abbreviation to indicate to or induce others to believe that he or she is licensed to practice medicine or osteopathy across state lines in this state unless he or she has been issued a special purpose license to practice medicine or osteopathy. ALA. CODE § 34-24-502.</p> <p>The commission shall only issue a special purpose license to practice medicine or osteopathy across state lines to an applicant whose principal practice location and license to practice is located in a state or territory of the United States whose laws permit or allow for the issuance of a special purpose license to practice medicine or osteopathy across state lines or similar license to a physician whose principal practice location and license is located in this state. It is the stated intent of this article that physicians and osteopaths who hold a full and current license in the State of Alabama be afforded the opportunity to obtain, on a reciprocal basis, a license to practice medicine or osteopathy across state lines in any state or territory of the United States as a pre-condition to the issuance of a special purpose license as authorized by this article to a physician or osteopath licensed in such state or territory. The State Board of Medical Examiners shall determine which states or territories have reciprocal licensure requirements meeting the qualifications. ALA. CODE § 34-24-507.</p>	
AK	Must obtain an Alaska license.	“Telemedicine” means the practice of health care delivery, evaluation, diagnosis, consultation, or treatment, using the transfer of medical data, audio, visual or data communications	

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		that are performed over two or more locations between providers who are physically separated from the recipient or from each other.” 7 ALASKA ADMIN. CODE § 110.639(4).	
AZ - M	Must obtain an Arizona license.	“Telemedicine” means the practice of health care delivery, diagnosis, consultation and treatment and the transfer of medical data through interactive audio, video, or data communications that occur in the physical presence of the patient, including audio or video communications sent to a health care provider for diagnostic or treatment consultation. ARS § 36-3601.	
AZ – O	Must obtain an Arizona license.		
AR	Must obtain an Arkansas license.	A physician who is physically located outside this state but who through the use of any medium, including an electronic medium, performs an act that is part of a patient care service initiated in this state, including the performance or interpretation of an X-ray examination or the preparation or interpretation of pathological material that would affect the diagnosis or treatment of the patient, is engaged in the practice of medicine in this state for the purposes of this chapter and is subject to appropriate regulation by the Arkansas State Medical Board. ARK. CODE R. § 17-95-206.	
CA - M	Must obtain a California license.  Requires reimbursement for telemedicine services.	<p>“Telehealth” means the mode of delivering health care services and public health via information and communication technologies to facilitate the diagnosis, consultation, treatment, education, care management, and self-management of a patient’s health care while the patient is at the originating site and the health care provider is at a distant site.”CAL. BUS. AND PROF. CODE § 2290.5(a)(6)</p> <p>(c) No health care service plan shall require that in-person contact occur between a health care provider and a patient before payment is made for covered services appropriate provided through telehealth. CAL. HEALTH AND SAFETY CODE § 1374.13(c)</p> <p>There are no legal prohibitions to using technology in the practice of medicine as long as the practice is done by a California licensed physician. Telemedicine is not a telephone conversation, e-mail/instant messaging conversation, or fax; it typically involves the application of videoconferencing or store and forward technology to provide or support health care delivery. See <a href="http://www.mbc.ca.gov/licensee/telemedicine.html">http://www.mbc.ca.gov/licensee/telemedicine.html</a>.</p> <p>(b) The board may, at its discretion, develop a proposed registration program to permit a physician and surgeon, or a doctor of podiatric medicine, located outside this state to register with the board to practice medicine or podiatric medicine in this state across state lines. CAL. BUS. &amp; PROF. CODE § 2052.5(b). See note section.</p>	California has <u>no</u> telemedicine registration program. In 1996, the Board sought legislation to obtain the regulatory authority to develop a program for physicians <u>in other states</u> to become registered in California, without requiring full licensure. The legislation was unsuccessful in obtaining regulatory authority, and, instead, added Section 2052.5 of the Business & Professions Code. This code has been the source of some confusion, as it outlines the original proposal for the registration program, but requires the Board to seek legislation to place a future program in statute. Those unfamiliar with the law's history assume that the Board has a program or the authority to implement one—the Board has neither.
CA – O	Must obtain a California license.	See above CAL. BUS. & PROF. CODE.	
CO	Must obtain a Colorado license.	No health benefit plan that is issued, amended or renewed for a person residing in a county with one hundred fifty thousand or fewer residents may require face-to-face contact between a	Limited licensure permitted for physicians licensed to practice medicine in another state if

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	Requires reimbursement for telemedicine services.	<p>provider and a covered person for services appropriately provided through telemedicine. COLO. CODE REGS. § 10-16-123(2).</p> <p>The delivery of telemedicine. Nothing in this paragraph (g) authorizes physicians to deliver services outside their scope of practice or limits the delivery of health services by other licensed professionals, within the professional's scope of practice, using advanced technology, including, but not limited to, interactive audio, interactive video, or interactive data communication. CRSA § 12-36-106(1)(g).</p>	they are associated with Shriner's Hospital.
CT	Must obtain a Connecticut license.		<b>2012 CT HB 5483</b> seeks to have telemedicine services added to the state Medicaid plan so that providers are reimbursed for providing telemedicine services. <b>Signed by the Governor 6/8/2012.</b>
DE	Must obtain a Delaware license.		
DC	Must obtain a DC license.		
FL - M	Must obtain a Florida license.	Prescribing medication based solely on an electronic medical questionnaire constitutes unprofessional conduct and is grounds for disciplinary action. Additionally, osteopathic physicians may not provide treatment recommendations unless a document patient evaluation has occurred, sufficient dialogue between the physician and patient regarding treatment options and the risks and benefits of treatment have occurred, and medical records are properly maintained. The aforementioned rule does not apply to an emergency situation and should not be construed to prohibit patient care in consultation with another physician who has an ongoing relationship with the patient, has agreed to supervise the patient's treatment. FLA. ADMIN. CODE ANN. R. 64B8-9.014.	Licensure exemption for certain out-of-state professionals employed by a sports entity visiting the state for a specific sporting event. FLA. STAT. § 456.023(1).
FL – O	Must obtain a Florida license.	Prescribing medication based solely on an electronic medical questionnaire constitutes unprofessional conduct and is grounds for disciplinary action. Additionally, osteopathic physicians may not provide treatment recommendations unless a document patient evaluation has occurred, sufficient dialogue between the physician and patient regarding treatment options and the risks and benefits of treatment have occurred, and medical records are properly maintained. The aforementioned rule does not apply to an emergency situation and should not be construed to prohibit patient care in consultation with another physician who has an ongoing relationship with the patient, has agreed to supervise the patient's treatment. FLA. ADMIN. CODE ANN. R. 64B15-14.008.	
GA	<p>Must obtain a Georgia license.</p> <p>Requires reimbursement for</p>	“Telemedicine” means the practice, by a duly licensed physician or other health care provider acting within the scope of such provider's practice, of health care delivery, diagnosis, consultation, treatment or transfer of medical data by means of audio, video, or data communications which are used	

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	telemedicine services.	<p>during a medical visit with a patient or which are used to transfer medical data obtained during a medical visit with a patient. GA. CODE. ANN. § 33-24-56.4(b)(3).</p> <p>Every health benefit policy that is issued, amended or renewed shall include payment for services that are covered under the policy and appropriately provided through telemedicine. GA. CODE ANN. § 33-24-56.4(c).</p> <p>A person who is physically located in another state or foreign country and who, through the use of any means, including electronic, radiographic, or other means of telecommunication, through which medical information or data are transmitted, performs an act that is part of a patient care service located in this state, including but not limited to the initiation of imaging procedures or the preparation of pathological material for examination, and that would affect the diagnosis or treatment of the patient is engaged in the practice of medicine in this state. Any person who performs such acts through such means shall be required to have a license to practice medicine in this state and shall be subject to regulation by the board. Any such out-of-state or foreign practitioner shall not have ultimate authority over the care or primary diagnosis of a patient who is located in this state. Ga. Code Ann. § 43-34-31.</p> <p>Any person holding him- or herself out to the public as being engaged in the practice of medicine must possess a valid license to practice medicine in the State of Georgia unless in the case of an emergency or the physician is engaged in consultation on special cases approved by the medical board of regularly licensed physicians from other states or territories. GA CODE ANN. § 43-34-22.</p>	
GU		<p>(8) A licensed physician who resides outside of Guam within a State, Federal jurisdiction or country is <i>not</i> subject to Guam medical licensure requirements where said licensed physician is providing consultation to a Guam licensed physician through the use of telemedicine technology if:</p> <ul style="list-style-type: none"> <li>(i) the non-resident licensed consulting physician operates <i>no</i> clinical practice or office on Guam;</li> <li>(ii) the non-resident licensed consulting physician <i>does not</i> render any final written or otherwise documented final medical opinion concerning the diagnosis or treatment of a patient on Guam directly to the patient; and</li> <li>(iii) the non-resident licensed consulting physician <i>does not</i> render any treatment to any patient on Guam.</li> <li>(iv) The non-resident licensed consulting physician may render care and provide final diagnostic and treatment decisions without an active Guam license <i>if</i> the consultant is to act as a receiving physician for the patient in the consultant's jurisdiction.</li> <li>(v) The non-resident licensed consulting physician may render care and provide diagnostic and treatment recommendations without an active Guam license <i>if</i> the consulting physician acts jointly and directly with the local attending physician of the patient who is the subject of the consultation.</li> </ul>	

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		(vi) The non-resident licensed consulting physician rendering consultation shall abide by all local and federal laws with regard to patient confidentiality. 10 G.C.A. § 12202	
HI	Must obtain a Hawaii license.  Requires reimbursement for telemedicine services.	<p>Exceptions to the licensure requirement apply to a practitioner of medicine and surgery from another state when in actual consultation, including in-person, mail, electronic, telephonic, fiber-optic or other telemedicine consultation with a licensed physician or osteopathic physician of Hawaii., if the physician from out-of-state is licensed to practice in the state in which the physician resides at the time of consultation and he/she does not open an office, appoint a place to meet patients in Hawaii, or receive calls within the state; the physician licensed in Hawaii retains control and responsibility for the provision of care for the in-state patient; etc. HAW. REV. STAT. § 453-2(b)(3).</p> <p>“Telemedicine” means the use of telecommunications services, including real-time video conferencing-based communication, secure interactive and non-interactive web-based communication, and secure asynchronous information exchange, to transmit patient medical information, such as diagnostic-quality digital images and laboratory results for medical interpretation and diagnosis, and deliver health care services and information to parties separated by distance. HAW. REV. STAT. § 453-2(b)(6).</p> <p>No mutual benefit society plan that is issued, amended or renewed shall require face-to-face contact between a health care provider and a patient as a prerequisite for payment for services appropriately provided through telehealth in accordance with generally accepted health care practices. Haw. Rev. Stat. § 432:1-601.5(b).</p>	A radiologist licensed in another state may use telemedicine in Hawaii to provide radiology services to a patient located in the state in which the radiologist is licensed. HAW. REV. STAT. § 453-2(b)(6).
ID	Must obtain an Idaho license.		
IL	Must obtain an Illinois license.	“Telemedicine” means the performance of any of the activities listed in Section 49, including but not limited to rendering written or oral opinions concerning diagnosis or treatment of a patient in Illinois by a person located outside the state as a result of transmission of individual patient data by telephonic, electronic, or other means of communication from within this State. 225 ILL. COMP. STAT. ANN. 60/49.5(c).	
IN	Must obtain an Indiana license.		
IA	Must obtain an Iowa license.	It is the Iowa Board of Medicine’s policy to require any physician who participates in the diagnosis and treatment of a patient situated in Iowa to obtain licensure. However, there is a provision in the Board’s authorizing statute which permits physicians not licensed in Iowa to provide medical consultation and services which are “incidental” to the care of patients. Medical reports used for “primary diagnostic purposes” are generally not considered incidental and thus are seldom exempted under this provision...The board cautions Iowa physicians to adhere to the rules governing the practice	

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		<p>of medicine in the state, particularly those relating to the proper delegation of care. Out-of-state physicians should also be made aware that state law mandates that the unauthorized practice of medicine in Iowa is a felony. Although the Board can not sanction a physician not licensed in this state for an inaccurate reading of an x-ray or a missed diagnosis, it can and will take the appropriate action against the Iowa physician who relied on the diagnosis and who is ultimately responsible and thus accountable for the patient's care. See policy statement at:</p> <p><a href="http://medicalboard.iowa.gov/policies/telemedicine.html">http://medicalboard.iowa.gov/policies/telemedicine.html</a></p>	
KS	Must obtain a Kansas license.		
KY	<p>Must obtain a Kentucky license.</p> <p>Requires reimbursement for telemedicine services.</p>	<p>Physicians living outside Kentucky but actively practicing medicine upon patients within Kentucky should be required to meet the same statutory qualifications and should be held to the same standards of acceptable and prevailing medical practice within the Commonwealth as are resident physicians practicing within the state. See policy statement at:</p> <p><a href="http://kbml.ky.gov/nr/ronlyres/8766044b-867b-4af9-811f-63a0456ba602/0/telepolicystate.pdf">http://kbml.ky.gov/nr/ronlyres/8766044b-867b-4af9-811f-63a0456ba602/0/telepolicystate.pdf</a></p> <p>A health benefit plan shall not exclude a service from coverage solely because the service is provided through telehealth and not provided through a face-to-face consultation if the consultation is provided through the telehealth network. KY. REV. STAT. ANN. § 304.17A-138.</p>	
LA	<p>Board may issue a telemedicine license.</p> <p>Requires reimbursement for telemedicine services.</p>	<p>Telemedicine licenses to allow the practice of medicine across state lines may be issued to an applicant who holds a full and unrestricted license to practice medicine in another state or US territory. The physician thus licensed cannot open an office, meet patients, or receive calls from patients in Louisiana and the physician engaged in telemedicine must establish a bona fide physician-patient relationship. LA. REV. STAT. ANN. §1276.1.</p> <p>A physician who does not hold a license to practice medicine in Louisiana cannot engage in the practice of medicine across state lines in Louisiana via telemedicine unless he or she holds a telemedicine permit issued by the Board. LA. ADMIN. CODE tit. 46, §408(A).</p> <p>Notwithstanding any provision of any policy or contract of insurance or health benefits issued after June 16, 1995 whenever such policy provides for payment, benefit, or reimbursement for any health care service, including but not limited to diagnostic testing, treatment, referral, or consultation, and such health care service is performed via transmitted electronic imaging or telemedicine, such a payment, benefit, or reimbursement under such policy or contract shall not be denied to a licensed physician conducting or participating in the transmission at the originating health care facility or terminus who is physically present with the individual who is the subject of such electronic imaging transmission and is contemporaneously communicating and interacting with a licensed physician at the receiving terminus</p>	

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		<p>of the transmission. The payment, benefit, or reimbursement to such a licensed physician at the originating facility or terminus shall not be less than seventy-five percent of the reasonable and customary amount of payment, benefit, or reimbursement which that licensed physician receives for an intermediate office visit. LA. REV. STAT. ANN. § 1821(F)(1).</p> <p>No person shall practice or attempt to practice medicine across state lines without first complying with the provisions of this Part and without being a holder of either an unrestricted license to practice medicine in Louisiana or a telemedicine license. LSA-R.S. 37:1271.</p>	
ME - M	<p>Must obtain a Maine license.</p> <p>Requires reimbursement for telemedicine services.</p>	A carrier offering a health plan in this State may not deny coverage on the basis that the coverage is provided through telemedicine if the health care service would be covered were it provided through in-person consultation. ME. REV. STAT. ANN. tit. 24A, § 4316(2).	<p>In 1999, the Maine Board of Licensure in Medicine and the Maine Board of Osteopathic Licensure adopted the Northeast Region State Medical Boards Statement of Principle, which provides that except for consultation, the provision of all medical services shall require a full license in the state in which the patient encounter will occur. See <a href="http://www.docboard.org/me/_PRAC_ACROSS_STATE_LINES.pdf">http://www.docboard.org/me/_PRAC_ACROSS_STATE_LINES.pdf</a></p>
ME –O	Must obtain a Maine license.		
MD	Must obtain a Maryland license (exception for physicians practicing in adjoining state)	<p>The following individuals may practice medicine without a license: 2) A physician licensed by and residing in another jurisdiction, while engaging in consultation with a physician licensed in this State; 4) A physician who resides in and is authorized to practice medicine by any state adjoining this State and whose practice extends into this State, if: i) the physician doesn't have an office or other regularly appointed place in Maryland to meet patients and the same privileges are extended to licensed physicians Maryland by the adjoining state.</p> <p>Subject to certain exceptions, an individual must be licensed to practice medicine in Maryland in order to practice telemedicine if the physician seeking to practice telemedicine is physically located in Maryland or the patient is in Maryland. MD. CODE REGS. 10.32.03.03</p>	<p><b>2012 MD HB 1149</b> and <b>2012 SB 781</b> would require certain insurers, nonprofit health service plans and health maintenance organizations to provide the same coverage for health care services delivered through a telemedicine person as an in-person consultation. <i>Passed April 17, 2012, enactment pending Governor's signature.</i></p>
MA	<p>Must obtain a Massachusetts license.</p> <p>Allows reimbursement for telemedicine</p>	<p>The practice of medicine includes telemedicine. 243 MASS. CODE REGS. 2.01(b).</p> <p>Telemedicine is the provision of services to a patient by a physician from a distance by electronic communication in order to improve patient care, treatment or services. 243 MASS CODE REGS. 2.01.</p>	<p><b>2012 MA SB 2400</b> provides that coverage for services may contain a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telemedicine as long as</p>

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	services.	“Telemedicine,” as it pertains to the delivery of health care services, shall mean the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. Telemedicine shall not include the use of audio-only telephone, facsimile machine or email. See SB 2400.	the deductible, copayment or coinsurance doesn’t exceed the deductible, copayment or coinsurance applicable to an in-person consultation. <b>Signed by the Governor on 8/6/2012.</b>
MI - M	Must obtain a Michigan license.  Requires reimbursement for telemedicine services.		<b>2012 MI HB 5408</b> prohibits a group or nongroup health care corporation from requiring face-to-face contact between a health care provider and a patient for service appropriately provided through telemedicine. <b>Effective 7/18/2012</b>  <b>2012 MI HB 5421</b> prohibits health maintenance organizations and individual contracts from requiring face-to-face contact between a health care provider and a patient for services appropriately provided through telemedicine. <b>Effective 7/18/2012.</b>
MI – O	Must obtain a Michigan license.		
MN	Physician providing telemedicine services to patient in MN must register with the board.	A physician not licensed to practice medicine in Minnesota may provide medical services to a patient located in Minnesota through interstate telemedicine if 1) the physician is licensed without restriction to practice medicine in the state from which the physician provides telemedicine services; 2) the physician has not had a license to practice medicine revoked or restricted in any state or jurisdiction; 3) the physician does not open an office, does not meet with patients, and does not receive calls from patients in Minnesota; and 4) the physician annually registers with the board. MINN. STAT. § 147.032(1).	
MS	Must obtain a Mississippi license.	No person shall engage in the practice of medicine across state lines (telemedicine) in Mississippi, holding him- or herself out as qualified to do the same, or use any title, word or abbreviation to indicate or induce others to believe that he is duly licensed to practice medicine across state lines in this state unless he/she has first obtained a license to do so from the State Board of Medical Licensure and has met all educational and licensure requirements as required by the Board. The aforementioned licensure requirements do not apply where the evaluation, treatment and/or medical opinion to be rendered by a physician outside this state is requested by a physician duly licensed to practice medicine in this state and the physician who has requested such evaluation and treatment and/or medical opinion has already established a doctor/patient relationship with the patient to be evaluated and/or treated. Miss. Code Ann. § 73-25-34.	The Board may grant an examination waiver to foreign licensees meeting certain requirements. MISS. CODE ANN. § 73-25-21.
MO	Must obtain a Missouri license.	It is unlawful for any person not now registered as a physician within the meaning of the law to practice medicine or surgery	

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		<p>in any of its departments, to engage in the practice of medicine across state lines or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, or engage in the practice of midwifery unless an exception applies. MO. REV. STAT. § 334.010.</p> <p>A physician located outside the state isn't required to obtain a license when: 1) in consultation with a physician licensed to practice in the state; and 2) the physician licensed in Missouri retains ultimate authority and responsibility for the diagnosis or diagnoses and treatment in the care of the patient located in Missouri; or 3) evaluating a patient or rendering an oral, written or otherwise documented medical opinion, or when providing testimony or records for the purpose of any civil or criminal action before any judicial or administrative proceeding in state; or 4) participating in a utilization review. MO. REV. STAT. § 334.010.</p>	
MT	Board may issue telemedicine license.	<p>Telemedicine licenses may be issued by the board to an applicant who meets all requirements. The license limits the licensee to the practice of telemedicine as defined in these rules and only with respect to the specialty in which the licensee is board-certified or meets the current requirements to take the examination to become board-certified and on which the license bases the application for a telemedicine license. MONT. ADMIN. R. 24.156.802(5).</p> <p>A telemedicine license authorizes an out-of-state physician to practice telemedicine only with respect to the specialty in which the physician is board-certified or meets the current requirements to take the examination to become board-certified and on which the physician bases the physician's application for a telemedicine license. A telemedicine license authorizes an out-of-state physician to practice only telemedicine. A telemedicine license does not authorize the physician to engage in the practice of medicine while physically present within the state. MCA 37-3-343.</p>	
NE	Must obtain a Nebraska license.	<p>Persons who are physically located in another state but who, through the use of any medium, including an electronic medium, perform for compensation any service which constitutes the healing arts that would affect the diagnosis or treatment of an individual located in this state shall be deemed to be engaged in the practice of medicine and surgery. Neb. Rev. St. § 38-2024.</p>	
NV	Board may issue a special purpose license.	<p>The Board may issue a special purpose license to a physician who is licensed in another state to permit the use of equipment that transfers information concerning the medical condition of a patient in Nevada across state lines electronically, telephonically or by fiber optics. NRS § 630.261(e).</p>	
NV – O	Must obtain a Nevada license.	<p>An osteopathic physician may engage in telemedicine in this State if he or she possesses an unrestricted license to practice osteopathic medicine in this State pursuant to this chapter. If an osteopathic physician engages in telemedicine with a patient who is physically located in another state or territory of</p>	

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		the United States, the osteopathic physician shall, before engaging in telemedicine with the patient, take any steps necessary to be authorized or licensed to practice osteopathic medicine in the other state or territory of the United States in which the patient is physically located. NRS 633.165.	
NH	Must obtain New Hampshire license.  Requires reimbursement for telemedicine services.	<p>“Telemedicine” means the use of audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. Telemedicine does not include the use of audio-only telephone or facsimile. NH REV. STAT. § 415-J:2(III).</p> <p>An insurer offering a health plan in NH cannot deny coverage solely because the coverage is provided through telemedicine if the health care service would be covered if it were provided through in-person consultation between the covered person and the health care provider. NH REV. STAT. § 415-J:3(II).</p> <p>“Physicians providing care and/or treatment to patients in New Hampshire must be licensed in New Hampshire... Thus, an out-of-state doctor using telemedicine or the internet to diagnose and treat a patient residing in NH must have a NH license or be acting as a consultant to a NH physician who has a bona fide physician-patient relationship with the patient. A physician located outside NH isn’t required to obtain a license when: 1) in consultation with a physician licensed to practice medicine in this state who has a bona fide doctor-patient relationship with the patient and 2) the physician licensed in this state retains the ultimate authority and responsibility for the diagnosis and treatment in the care of the patient located in NH. See policy statement at: <a href="http://www.nh.gov/medicine/aboutus/prescribing.htm">http://www.nh.gov/medicine/aboutus/prescribing.htm</a>.</p>	
NJ	Must obtain New Jersey license (exception for physician taking temporary charge of a patient upon written permission of the board).	<p>Licensure is not required if physician is: A lawfully qualified physician or surgeon of another state taking charge temporarily, on written permission of the board, of the practice of a lawfully qualified physician or surgeon of this State during his absence from the State, upon written request to the board for permission so to do. Before such permission is granted by the board and before any person may enter upon such practice he must submit proof that he can fulfill the requirements demanded in the other sections of this article relating to applicants for admission by examination or endorsement from another state. Such permission may be granted for a period of not less than two weeks nor more than four months upon payment of a fee of \$50. The board in its discretion may extend such permission for further periods of two weeks to four months but not to exceed in the aggregate one year. NJ STAT. ANN. § 45:9-21(b).</p> <p>A physician or surgeon of another state of the United States and duly authorized under the laws thereof to practice medicine or surgery therein, if such practitioner does not open an office or place for the practice of his profession in this State. NJ STAT. ANN. § 45:9-21(c).</p>	
NM - M	Board may issue a telemedicine license.	“Telemedicine” means the practice of medicine across state lines. The practice of medicine across state lines means the rendering of a written or otherwise documented medical opinion concerning diagnosis or treatment of a patient within	

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		<p>this state by a physician located outside this state as a result of transmission of individual patient data by electronic, telephonic or other means from within this state to the physician or the physician's agent, OR the rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic, telephonic or other means from within this state to the physician or the physician's agent. NM STAT. ANN. 1978 § 61-6-6.</p> <p>A telemedicine license allows for the practice of medicine across state lines to an applicant who holds a full and unrestricted license to practice in another state or territory of the United States. NM STAT. ANN. 1978 § 61-6-11.1.</p> <p>Any person who practices medicine across state lines or who attempts to practice medicine across state lines without first complying with the provisions of the Medical Practice Act and without being the holder of a telemedicine license entitling him to practice across state lines is guilty of a fourth degree felony. NM STAT. ANN. 1978 § 61-6-20(B).</p>	
NM – O	Must obtain a New Mexico license.		
NY	Must obtain a New York license.		
NC	Must obtain a North Carolina license.	<p>Any person so practicing without being duly licensed and registered in this State and who is an out-of-state practitioner shall be guilty of a Class I felony. NC GEN. STAT. ANN. § 90-18(a).</p> <p>“Telemedicine” is the practice of medicine using electronic communication, information technology or other means between a licensee in one location and a patient in another location with or without an intervening health care provider... The practice of medicine is deemed to occur in the state in which the patient is located. Therefore, any licensee using telemedicine to regularly provide medical services to patients located in North Carolina should be licensed to practice medicine in North Carolina. See policy statement at: <a href="http://www.ncmedboard.org/position_statements/detail/telemedicine/">http://www.ncmedboard.org/position_statements/detail/telemedicine/</a></p> <p>(a) The Board may issue a special purpose license to practice medicine to an applicant who:</p> <p>(1) Holds a full and unrestricted license to practice in at least one other jurisdiction; and</p> <p>(2) Does not have any current or pending disciplinary or other action against him or her by any medical licensing agency in any state or other jurisdiction.</p> <p>(b) The holder of the special purpose license practicing medicine or surgery beyond the limitations of the license shall be guilty of a Class 3 misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each offense. The Board, at its discretion, may revoke the special license after due notice is given to the holder of the special purpose license.</p>	Board does provide for expedited licensure if certain eligibility requirements are met.

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		(c) The Board may adopt rules and set fees as appropriate to implement the provisions of this section. NCGSA § 90-12.2A.	
ND	Must obtain a North Dakota license.		
OH	Board may issue telemedicine certificate (and subsequent special activity certificate).	<p>“The practice of telemedicine” means the practice of medicine in this state through the use of any communication, including oral, written, or electronic communication, by a physician located outside this state.” OH. REV. CODE ANN. § 4731.296(A).</p> <p>The holder of a telemedicine certificate may engage in the practice of telemedicine in this state. A person holding a telemedicine certificate shall not practice medicine in person in this state without obtaining a special activity certificate. OH. REV. CODE ANN. § 4731.296(C).</p> <p>When a person licensed to practice medicine and surgery or osteopathic medicine and surgery by the licensing department of another state, a diplomate of the national board of medical examiners or the national board of examiners for osteopathic physicians and surgeons, or a licentiate of the medical council of Canada wishes to remove to this state to practice, the person shall file an application with the state medical board. The board may, in its discretion, by an affirmative vote of not less than six of its members, issue its certificate to practice medicine and surgery or osteopathic medicine and surgery without requiring the applicant to submit to examination, provided the applicant submits evidence satisfactory to the board. OH. REV. CODE § 4731.29(A)</p> <p>Licensees using telemedicine technologies to provide care to patients located in Ohio must provide an appropriate examination prior to diagnosing and/or treating the patient. The examination need not be in-person if the technology is sufficient to provide the same information to the licensee as if the exam had been performed face-to-face.  <a href="http://med.ohio.gov/pdf/NEWS/Position%20Statement%20on%20Telemedicine_Approved%20May%2010,%202012.pdf">http://med.ohio.gov/pdf/NEWS/Position%20Statement%20on%20Telemedicine_Approved%20May%2010,%202012.pdf</a></p>	
OK - M	<p>Must be licensed in Oklahoma.</p> <p>Requires reimbursement for telemedicine services.</p>	<p>“Telemedicine” means the practice of health care delivery, diagnosis, consultation, treatment including but not limited to, the treatment and prevention of strokes, transfer of medical data, or exchange of medical education information by means of audio, video, or data communications. OKLA. STAT. ANN. tit. 36, § 6802.</p> <p>Health care service plans, disability insurer programs, workers’ compensation programs, or state Medicaid managed care program contracts issued, amended, or renewed on or after January 1, 1998, shall not require person-to-person contact between a health care practitioner and a patient. OKLA. STAT. ANN. tit. 36, § 6803.</p>	<p>Board has adopted a telemedicine policy in an effort to improve access to mental health care services in Oklahoma. See policy statement at:  <a href="http://www.okmedicalboard.org/download/497/Adopted_Telemedicine_Policy_9_18_08.pdf">http://www.okmedicalboard.org/download/497/Adopted_Telemedicine_Policy_9_18_08.pdf</a></p> <p>Full licensure required unless physician is rendering emergency advice or opinion or when the physician accepts or expects no compensation. See</p>

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			policy statement: <a href="http://www.okmedicalboard.org/download/498/Telemedicine_Licensure_Requirements.pdf">http://www.okmedicalboard.org/download/498/Telemedicine_Licensure_Requirements.pdf</a>
OK – O	Effective Nov. 1 2013, Board may issue a telemedicine license.		
OR	Board may issue license to practice medicine across state lines.  Requires reimbursement for telemedicine services.	Telemedicine is the use of telephonic or electronic communications to medical to move medical information from one sit to another to improve a patient’s health status. OR. ADMIN. R. 410-130-0610(1).  A referring and evaluating practitioner must be licensed to practice medicine within the state of Oregon or within the contiguous area of Oregon and must be enrolled as a Division of Medical Assistance Program (Division) provider. OR. ADMIN. R. 410-130-0610(3)(a).  Upon application, the board may issue to an out-of-state physician a license for the practice of medicine across state lines if the physician holds a full, unrestricted license to practice medicine in any other state, has not been sanctioned and otherwise meets the requirements for licensure. OR. REV. STAT. ANN. § 677.139  A health benefit plan must provide coverage of a telemedicine health service if the plan provides coverage of the health service when provided in person by the health professional, the health service is medically necessary and the health service does not duplicate or supplant a health service that is available to the patient in person. OR. REV. STAT. ANN. § 743A.058(2).	
PA - M	Must obtain a Pennsylvania license (some exceptions exist for physicians near state lines)	An extraterritorial license empowers the licensee residing in or maintaining the office of practice in any adjoining state near the boundary line between such state and this Commonwealth, whose medical practice extends into this Commonwealth, to practice medicine and surgery with or without restriction in this Commonwealth on such patients... The exercise of discretion of the board in granting such a license will depend on the needs of the patients in Pennsylvania, the availability of medical care in the area involved and whether the adjoining state extends similar privileges to Pennsylvania physicians. 63 PENN. STAT. ANN. § 422.34(a) and (c)(2).	Governor announced on May 23 <sup>rd</sup> that telemedicine services covered by the Pennsylvania Medical Assistance (Medicaid) program: <a href="http://www.sacbee.com/2012/05/22/4509091/pennsylvania-governor-corbett.html">http://www.sacbee.com/2012/05/22/4509091/pennsylvania-governor-corbett.html</a>
PA – O	Must obtain a Pennsylvania license (some exceptions exist for physicians near state lines)	A duly licensed physician residing in or maintaining his office of practice in a state near the boundary line between said state and Pennsylvania whose practice extends into Pennsylvania will have the right to practice in Pennsylvania at the discretion of the board, provided he files a certified copy of his license and that the board in the adjoining state reciprocates by extending the same privilege to physicians in Pennsylvania. 63 PENN. STAT. ANN. § 271.10(a).	
PR	Must obtain a Puerto Rico license.	Upon the approval of this act, no physician, surgeon, or osteologist outside of the jurisdiction of the Commonwealth of Puerto Rico may draft or publish advertisements to claim	

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		<p>that they are legally qualified to practice telemedicine in Puerto Rico without being duly licensed for said practice, unless they obtain a duly issued license from the Board of Medical Examiners to confirm their compliance with the requirements set forth in referenced Act No. 22 of April 22, 1931. 20 LPRA § 6003.</p> <p>“Telemedicine” means any test, diagnosis, treatment, operation or prescription for any physical and/or mental illness, ailment, pain, lesion, deformity or condition performed on a patient by a physician who practices surgery or an osteologist who practices as such through advanced technologic communication means in order to exchange information and provide the health services mentioned above in distant geographical areas. 20 LPRA § 6001.</p>	
RI	Must obtain a Rhode Island license.	<p>Any person who is not lawfully authorized to practice medicine in this state and registered according to law who practices medicine or surgery or attempts to practice medicine or surgery or attempts to practice medicine or surgery, or any of the branches of medicine or surgery, after having received or with the intent of receiving, either directly or indirectly, any bonus, gift or compensation, or who opens an office with intent to practice medicine, or holds himself or herself out to the public as a practitioner of medicine, whether by appending to his or her name the title of doctor or any abbreviation, or M.D., or any other title or designation implying a practitioner of medicine, or in any other way, shall be imprisoned not more than three (3) years, or fined not more than one thousand dollars (\$1,000), or shall suffer both fine and imprisonment; and in no case when any provision of this chapter has been violated shall the person violating these provisions be entitled to receive compensation for services rendered. RI GEN. LAWS § 5-37-12.</p> <p>Nothing in the Medical Practice Act shall be construed to authorize any itinerant doctor to register or to practice medicine in any part of this state. Gen. Laws § 5-37-3.</p>	
SC	Must obtain a South Carolina license.	<p>The Board adheres to the view that the practice of medicine occurs where the patient is physically located, therefore, the physician must be licensed in that state. This position is consistent with the purpose of state licensure requirements, which is to protect the members of the public in the state, and it is the position followed by most other state medical boards that have considered the question... Therefore, the Board holds that an out-of-state physician who performs an act that constitutes the practice of medicine on a patient physically located in this state is practicing medicine, as defined by state law, and must be licensed in South Carolina. See policy statement at <a href="http://www.llr.state.sc.us/POL/Medical/index.asp?file=Policies/MEPRIMDIAG.HTM">http://www.llr.state.sc.us/POL/Medical/index.asp?file=Policies/MEPRIMDIAG.HTM</a></p>	
SD	Must obtain a South Dakota license.	Any nonresident physician or osteopath who, while located outside South Dakota, provides diagnostic or treatment services through electronic means to a patient located in this state under a contract with a health care provider licensed under Title 36, a clinic located in this state that provides health	

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		<p>services, a health maintenance organization, a preferred provider organization, or a health care facility licensed under chapter 34-12, is engaged in the practice of medicine or osteopathy in this state. SD CODIFIED LAWS § 36-4-41.</p> <p>Nothing contained in this chapter shall be construed to apply to any licensed person practicing any of the healing arts outside of this state when in actual consultation with a licensed practitioner of the healing arts in this state. SD CODIFIED LAWS § 36-2-9.</p>	
TN - M	Board may issue a telemedicine license.	<p>No person shall engage in the practice of medicine across state lines in this State, hold himself out as qualified to do the same, or use any title, word, or abbreviation to indicate to or induce others to believe that he is licensed to practice medicine across state lines in this State unless he is actually so licensed in accordance with the provisions of this rule. TENN. COMP. R. &amp; REGS. 0880-02-.16.</p> <p>The practice of medicine across state lines (telemedicine) means either 1) the rendering of a written or otherwise documented medical opinion concerning diagnosis or treatment of a patient within this State by a physician located outside this State as a result of transmission of individual patient data by electronic or other means from within this State to such physician or his agent; or 2) the rendering of treatment to a patient within this State by a physician located outside this State as a result of transmission of individual patient data by electronic or other means from within this State to such physician or his agent. TENN. COMP. R. &amp; REGS. 0880-02-.16(1).</p> <p>An applicant who has an unrestricted license in good standing in another state and maintains an unencumbered certification in a recognized specialty area; or is eligible for such certification and indicates a residence and a practice outside the State of Tennessee but proposes to practice medicine across state lines on patients within the physical boundaries of the State of Tennessee, shall in the discretion of the Board be issued a telemedicine license. Tenn. Comp. R. &amp; Regs. 0880-02-.16(b).</p> <p>The board has the authority to issue restricted licenses and special licenses based upon licensure to another state for the limited purpose of authorizing the practice of telemedicine to current applicants or current licensees, or both, as it deems necessary. TCA § 63-6-209(b).</p>	
TN – O	Board may issue a telemedicine license.	<p>No person shall engage in the practice of osteopathic medicine across state lines in this State, hold himself out as qualified to do the same, or use any title, word, or abbreviation to indicate to or induce others to believe that he is licensed to practice medicine across state lines in this State unless he is actually so licensed in accordance with the provisions of this rule. TENN. COMP. R. &amp; REGS. 1050-02-.17.</p> <p>The practice of osteopathic medicine across state lines</p>	

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		<p>(telemedicine) means either 1) the rendering of a written or otherwise documented medical opinion concerning diagnosis or treatment of an osteopathic patient within this State by a osteopathic physician located outside this State as a result of transmission of individual patient data by electronic or other means from within this State to such physician or his agent; or 2) the rendering of treatment to a patient within this State by an osteopathic physician located outside this State as a result of transmission of individual patient data by electronic or other means from within this State to such osteopathic physician or his agent. TENN. COMP. R. &amp; REGS. 1050-02-.17(1).</p> <p>Issuance of License - An applicant who has an unrestricted license in good standing in another state and maintains an unencumbered certification in a recognized specialty area; or is eligible for such certification and indicates a residence and a practice outside the State of Tennessee but proposes to practice osteopathic medicine across state lines on patients within the physical boundaries of the State of Tennessee, shall in the discretion of the Board be issued a telemedicine license. TN ADC 1050-02-.17.</p>	
TX	<p>Board may issue telemedicine licenses to out-of-state physicians.</p> <p>Requires reimbursement for telemedicine services.</p>	<p>Physicians who treat and prescribe through advanced communications technology are practicing medicine and must possess appropriate licensure in all jurisdictions where their patients presently reside. An out-of-state physician may provide episodic consultations without a Texas medical license, as provided in <a href="#">Texas Occupations Code, § 151.056</a> and § 172.12(f) of this title (relating to Out-of-State Telemedicine License-Exemptions). 22 TEX. ADMIN. CODE § 174.12.</p> <p>A health benefit plan may not exclude a telemedicine medical service or a telehealth service from coverage under the plan solely because the service isn't provided through a face-to-face consultation. A health benefit plan may require a deductible, copayment or coinsurance for a telemedicine medical service or a telehealth service but the amount cannot exceed the amount of the deductible, copayment or coinsurance required for a comparable medical service provided through a face-to-face consultation. TEX. INS. CODE ANN. § 1455.004.</p> <p>Physicians who treat and prescribe through advanced communications technology are practicing medicine and must possess appropriate licensure in all jurisdictions where their patients presently reside. An out-of-state physician may provide episodic consultations without a Texas medical license, as provided in <a href="#">Texas Occupations Code, § 151.056</a> and § 172.12(f) of this title (relating to Out-of-State Telemedicine License-Exemptions). 22 TAC § 174.22.</p>	
UT - M	<p>Must obtain a Utah license.</p>	<p>The following individuals may engage in the described acts or practices without being licensed under this chapter: an individual engaging in the practice of medicine when: (a) the individual is licensed in good standing as a physician in another state with no licensing action pending and no less than 10 years of professional experience; (b) the services are</p>	

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		rendered as a public service and for a noncommercial purpose; (c) no fee or other consideration of value is charged, received, expected, or contemplated for the services rendered beyond an amount necessary to cover the proportionate cost of malpractice insurance; and (d) the individual does not otherwise engage in unlawful or unprofessional conduct.	
UT – O	Must obtain a Utah license.		
VT - M	Must obtain a Vermont license.		<b>2011 VT HB 37</b> would require all health insurance plans in Vermont to provide coverage for telemedicine services to the same extent the services would be covered if they were provided through an in-person consultation. <i><b>Passed legislature on 4/28/2012, enactment pending Governor's signature.</b></i>
VT – O	Must obtain a Vermont license.		
VA	Must obtain a Virginia license.  Requires reimbursement for telemedicine services.	An insurer, corporation, or health maintenance organization shall not exclude a service for coverage solely because the service is provided through telemedicine services and is not provided through face-to-face consultation or contact between a health care provider and a patient for services appropriately provided through telemedicine services. VA CODE ANN. § 38.2-3418.16(C).	
VI	Must obtain a Virgin Island license.	A physician located in another state practicing within the territory by electronic or other means without a license (full, special purpose or otherwise) issued by the Board shall be deemed guilty of a felonious offense. VI ST T. 27 § 16.	
WA - M	Must obtain a Washington license.	[The Medical Practice Act] does not prohibit the practice of medicine by any practitioner licensed by another state or territory in which he or she resides, provided that such practitioner shall not open an office or appoint a place of meeting patients or receiving calls within the state. RCWA 18.71.030.	
WA – O	Must obtain a Washington license.	[The Medical Practice Act] does not prohibit the practice of medicine by any practitioner licensed by another state or territory in which he or she resides, PROVIDED that such practitioner shall not open an office or appoint a place of meeting patients or receiving calls within the state. RCWA 18.57.040.	
WV - M	Must obtain a West Virginia license.	A person may not engage in the practice of medicine and surgery or podiatry, hold himself or herself out as qualified to practice medicine and surgery or podiatry or use any title, word or abbreviation to indicate to or induce others to believe that he or she is licensed to practice medicine and surgery or podiatry in this state unless he or she is actually licensed under the provisions of this article. A person engaged in the practice of telemedicine is considered to be engaged in the practice of medicine within this state and is subject to the licensure requirements of this article.  As used in this section, the term “practice of telemedicine”	

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		<p>means the use of electronic information and communication technologies to provide health care when distance separates participants and includes one or both of the following: (1) The diagnosis of a patient within this state by a physician located outside this state as a result of the transmission of individual patient data, specimens or other material by electronic or other means from within this state to the physician or his or her agent; or (2) the rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data, specimens or other material by electronic or other means from within this state to the physician or his or her agent. No person may practice as a physician assistant, hold himself or herself out as qualified to practice as a physician assistant or use any title, word or abbreviation to indicate to or induce others to believe that he or she is licensed to practice as a physician assistant in this state unless he or she is actually licensed under the provisions of this article. W. Va. Code, § 30-3-13.</p> <p>The unauthorized practice of medicine does not apply to an individual physician or podiatrist, or physician or podiatrist groups, or physicians or podiatrists at a tertiary care or university hospital outside this state and engaged in the practice of telemedicine who consult or render second opinions concerning diagnosis or treatment of patients within this state: (i) In an emergency or without compensation or expectation of compensation; or (ii) on an irregular or infrequent basis which occurs less than once a month or less than twelve times in a calendar year. W. Va. Code § 30-3-13(d)(3).</p>	
WV – O	Must obtain a West Virginia license.		
WI	Must be licensed in Wisconsin.		
WY	Must be licensed in Wyoming.	“Telemedicine” means the practice of medicine by electronic communication or other means from a physician to a location to a patient in another location, with or without an intervening health care provider. WYO. STAT. ANN. § 33-26-102(xxix).	

**For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.**