

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/14/19
A Bill

HOUSE BILL 1220

By: Representatives Sullivan, Gonzales

For An Act To Be Entitled

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

Subtitle

TO AMEND THE TELEMEDICINE ACT; TO ENSURE
THAT TELEMEDICINE IS THE LEAST
RESTRICTIVE METHOD TO DELIVER HEALTHCARE
SERVICES REMOTELY; AND TO EXPAND THE
DEFINITION OF "PROFESSIONAL
RELATIONSHIP".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-80-402(4), concerning the definition of "professional relationship" in the Telemedicine Act, is amended to read as follows:

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

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

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



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

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

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

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

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

/s/Sullivan