

Alaska State Medical Board  
Board Issued Guidelines

Board Issued Guidelines	Section 6
Subject:	<b><i>Telemedicine</i></b>
Implemented:	January 20-21, 2011
Revised:	May 17-18, 2012; November 6-7, 2014
<p>In order to provide care for a patient in the State of Alaska (including reading and interpreting films, samples, or images, or otherwise diagnosing, treating, or rendering an opinion), a physician must hold a current, active license issued by the Alaska State Medical Board. This requirement also applies to second opinions if the physician is charging a fee for providing the opinion. The only exception is for a “curbside” opinion given as a courtesy to a colleague (a licensed physician) for which there is <u>no charge</u>.</p> <p>There are two types of “telemedicine” practice allowed in the State of Alaska:</p> <p>1) The long-standing Board-sanctioned practice by a physician who is not physically present with the patient when:</p> <ul style="list-style-type: none"> <li>• there is an established physician-patient relationship based on an in-person physician exam; or</li> <li>• there is an appropriate (licensed) health care provider on the other side of the transaction (with the patient) to assist the physician with their examination and diagnosis processes; or</li> <li>• the physician is providing on-call or cross-coverage emergency care and the physician has access to the patient records; or</li> <li>• the physician is caring for a patient in a community where there is no physician, physician assistant, nurse practitioner, nurse, or community health aid, to conduct a physician examination; or</li> <li>• the physician is a radiologist or pathologist and is only reading or interpreting films or samples.</li> </ul> <p>This type of practice <u>does not</u> require the physician to be located in the State of Alaska, but does require the physician to practice in accordance with all relevant laws and practice standards.</p> <p>2) The practice of telemedicine authorized under Alaska Statute (AS) 08.64.364 (effective November 28, 2014) by a physician prescribing, dispensing, or administering a prescription drug without first conducted an in-person physical examination of the patient, if:</p> <ul style="list-style-type: none"> <li>• the prescription drug is not a controlled substance;</li> <li>• the physician is located in the State of Alaska and a licensed health care provider is</li> </ul>	

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available to provide follow-up care; and

- the patient consents to sending, and the physician sends, a copy of the records to the patient's primary care provider.

This type of practice does require the physician to be located in the State of Alaska, and does require the physician to practice in accordance with all relevant laws and practice standards, including compliance with

- the American Medical Association (AMA) guiding principles for telemedicine practice (adopted June 2014); and
- the Federation of State Medical Boards (FSMB) Model Policy for the Appropriate Use of Telemedicine Technologies in the Practice of Medicine (adopted April 2014).

**In addition, the Board is in the process of adopting regulations that include the following practices to be considered unprofessional conduct under state law (12 AAC 40.967):**

(27) providing treatment, rendering a diagnosis, or prescribing medications without first conducting an in-person physical examination, or based solely on a patient-supplied history that a physician licensed in this state received by telephone, facsimile, or electronic format, except for

- (A) providing care to a person when the licensee has a patient-physician or patient-physician assistant relationship with the person;
- (B) providing on-call or cross-coverage emergency care when the physician has access to the patient records;
- (C) reading or interpreting of films or samples by a radiologist or pathologist; or
- (D) caring for a patient in a community where there is no physician, physician assistant, nurse practitioner, nurse, or community health aid, to conduct a physical examination.

(29) prescribing, dispensing, or furnishing a prescription medication to a person without first conducting a physical examination of that person, unless the licensee has a patient-physician or patient-physician assistant relationship with the person; this paragraph does not apply to prescriptions written or medications issued

- (A) for use in emergency treatment;
- (B) for expedited partner therapy for sexually transmitted diseases; or
- (C) in response to an infectious disease investigation, public health emergency, infectious disease outbreak, or act of bioterrorism; or
- (D) by a physician practicing telemedicine under AS 08.64.364, as long as the physician complies with the American Medical Association (AMA) guiding principles for telemedicine practice (adopted June 2014), and the Federation of State Medical Boards (FSMB) Model Policy for the Appropriate Use of Telemedicine Technologies in the Practice of Medicine (adopted April 2014), adopted by reference.