Representative Ivy Spohnholz

Chair, House Ways and Means Committee
Co-Chair, House Labor and Commerce Committee
Serving House District 16: College Gate, Russian Jack, Nunaka Valley, & Reflection Lake

Summary of Changes
House Bill 265 v. W to v. N

"An Act relating to telehealth; relating to the practice of medicine; relating to medical assistance coverage for services provided by telehealth; and providing for an effective date."

Version 32 32-LS0754\N (House Health and Social Services Committee Substitute)

Section 1

Replaces any reference to "examination" with "visit," and updates corresponding language throughout the bill, except for providers licensed in another state.

Removes language in subsection (a) of version W related to the telehealth authority of providers licensed in another state. This language is replaced with subsection (b), which creates an exemption for physicians licensed in another state to deliver health care services within their scope of practice if there is an established physician-patient relationship, the non-resident physician has given the patient an in-person physical exam, and the services are related to ongoing treatment or follow-up care related to past treatment.

Cleans up the provisions regarding medication assisted treatment by removing subsection (d) in version W, which pertained to services addressing opioid use disorder. This language was deemed unnecessary to ensure the telehealth delivery of medication assisted treatment to treat opioid use disorder (i.e., medication, counseling, and behavioral health therapies).

Revises the prescribing authority provisions by separating physicians, podiatrists, osteopaths, and physician assistants in subsection (e) from advanced practice registered nurses (APRNs) in subsection (f).

Amends the APRN language in subsection (f) to remove the in-person requirement for prescribing controlled substances (including buprenorphine) via telehealth. This does not change the prescribing scope for these providers.

Creates subsection (h) to remove requirements to document all attempts for an in-person visit and prevents the department or board from limiting the physical setting of a health care provider delivering telehealth.

Clarifying language is inserted under subsection (j)(2) defining all providers in this section as licensed in good standing.

Section 3
Creates subsection (h) under Title 18 to remove requirements to document all attempts for an in-person visit. This section replicates the same provisions on documentation and physical setting for emergency medical services as Section 1.

Section 4
Amends telehealth services included in Alaska Medicaid by explicitly including home and community-based waiver services in subsection (a)(2) and adding services provided under a state plan option (e.g., 1915(k) services) in subsection (a)(3).

Adds language in subsection (b), line 13 to ensure the department must revise regulatory language to include telehealth in the definition of a "visit."

Section 5-6
These are new sections adding telehealth provisions to entities in Title 47, which are grantees that deliver community mental health services, or facilities approved by the department to deliver substance use disorder treatment. Their authority to deliver telehealth was previously unaddressed in version W because they are not applicable to the provisions in Title 8, or the Alaska Medicaid provisions in Title 47. Both sections replicate the same telehealth provisions on cost, scope of services, patient protections, documentation, and physical setting as Section 1.

Section 5 creates AS 47.30.585 to include entities designated under AS 47.30.520 – AS 47.30.620, which are approved to receive grant funding by the Department of Health and Social Services to deliver community mental health services.

Section 6 creates AS 47.37.145 to include public or private treatment facilities approved by the Department of Health and Social Services in AS 47.37.140 to deliver services designated under AS 47.37.40 – AS 47.37.270 addressing substance use disorders.