

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 80(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 2/21/14

Referred: Finance

Sponsor(s): SENATOR DYSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of telemedicine; relating to prescription of drugs by a**
2 **physician without a physical examination; and relating to insurance coverage for**
3 **telemedicine."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 08.64 is amended by adding a new section to read:

6 **Sec. 08.64.245. Practice of telemedicine.** A physician or podiatrist licensed
7 under this chapter may engage in the practice of telemedicine based on data about the
8 patient transmitted to the physician or podiatrist by electronic or other means.

9 * **Sec. 2.** AS 08.64 is amended by adding a new section to article 3 to read:

10 **Sec. 08.64.364. Prescription of drugs without physical examination.** (a) The
11 board may not impose disciplinary sanctions on a physician for prescribing,
12 dispensing, or administering a prescription drug to a person without conducting a
13 physical examination if

14 (1) the prescription drug is not a controlled substance;

1 (2) the physician is located in this state and available to provide
2 follow-up care; and

3 (3) the person consents to sending a copy of all records of the
4 encounter to the person's primary care provider if the prescribing physician is not the
5 person's primary care provider, and the physician sends the records to the person's
6 primary care provider.

7 (b) In this section,

8 (1) "controlled substance" has the meaning given in AS 11.71.900;

9 (2) "prescription drug" has the meaning given in AS 08.80.480;

10 (3) "primary care provider" has the meaning given in AS 21.07.250.

11 * **Sec. 3.** AS 08.64.380 is amended by adding a new paragraph to read:

12 (7) "telemedicine" means the remote practice of medicine as a result of
13 transmission of individual patient data by electronic, telephonic, or other means to a
14 physician or the physician's agent.

15 * **Sec. 4.** AS 21.54 is amended by adding a new section to read:

16 **Sec. 21.54.102. Telemedicine.** A health care insurer that offers, issues for
17 delivery, or renews a health care insurance plan that provides coverage for
18 telemedicine may not require that prior in-person contact occur between a health care
19 provider and a patient before payment is made for covered services.

20 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 **APPLICABILITY.** AS 21.54.102, added by sec. 4 of this Act, applies to a health care
23 insurance plan offered, issued for delivery, delivered, or renewed on or after the effective date
24 of this Act.