

SB 232 STAFF MEASURE SUMMARY**Carrier:** Sen. Campos**Senate Committee On Health Care****Action Date:** 01/25/23**Action:** Do pass.**Vote:** 5-0-0-0**Yeas:** 5 - Bonham, Campos, Gorsek, Hayden, Patterson**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Daniel Dietz, LPRO Analyst**Meeting Dates:** 1/23, 1/25**WHAT THE MEASURE DOES:**

Allows a provider located outside of Oregon to establish a provider-patient relationship and to provide care, via telemedicine, to a patient who is in Oregon temporarily for business, education, vacation, or work. Specifies that practice of medicine using telemedicine occurs where the patient is physically located, making telemedicine for patients in Oregon subject to the authority of the Oregon Medical Board. Allows the Oregon Medical Board to make rules to carry out these provisions. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Scenarios when telemedicine is allowable under the measure
- Practice of telemedicine during the COVID-19 pandemic

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Telemedicine is the practice of medicine using secure videoconferencing or other appropriate technology when the provider and patient are in different locations. The public health emergency declared by the U. S. Department of Health and Human Services (HHS) during the COVID-19 pandemic allows more flexibility for the practice of telemedicine. According to the National Center for Health Statistics, the COVID-19 pandemic increased the use of telemedicine, with 37 percent of adults accessing care via telemedicine in 2021. HHS plans to phase out certain flexibilities from the public health emergency declaration by the end of calendar year 2023.

The Oregon Medical Board (OMB) regulates the practice of medicine in Oregon, including licensure and other requirements for providers who practice medicine and telemedicine in the state. In its Statement of Philosophy on Telemedicine, OMB defines telemedicine as the practice of medicine through means of electronic communication or information technology between a health care provider at one location and a patient in another location. OMB requires that the same standards of care be met regardless of the delivery method (in-person or via telemedicine).

Senate Bill 232 formalizes the Oregon Medical Board's authority over the practice of telemedicine in Oregon and allows providers located outside of Oregon to establish a provider-patient relationship and to provide care to patients who are in Oregon temporarily for business, education, vacation, or work.