

HB 3727 A STAFF MEASURE SUMMARY

Senate Committee On Health Care

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Meeting Dates: 5/6, 5/20

WHAT THE MEASURE DOES:

The measure permits a physician or physician associate to use telemedicine to provide health care service to a patient who is temporarily out of state.

Detailed Summary:

- Specifies that the provision of health care services must be temporary, urgent or emergent, or ensures the continuity of care to the patient.
- Requires that the provider has an established patient-provider relationship prior to the time that the patient is out of state.
- Clarifies that provider use telemedicine is subject to the laws of state in which the patient is located at the time services are provided.

House Vote: Ayes, 55; Nays, 0

Fiscal Impact: Has Minimal Fiscal Impact

Revenue Impact: No Revenue Impact

ISSUES DISCUSSED:

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 allowed 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.

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 (2023) formalized OMB authority over the practice of telemedicine in Oregon, specifying that the practice of medicine using telemedicine occurs where the patient is physically located.

House Bill 3727 A permits a physician or physician associate to use telemedicine to provide health care service to a patient who is temporarily out of state.