

House Bill 3727

Sponsored by Representative HELM; Senator REYNOLDS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says a doctor or PA can sometimes give care to their patient who is temporarily out of this state. (Flesch Readability Score: 68.6).

Allows a physician or physician associate to use telemedicine to practice medicine or provide health care services under specified circumstances to a patient located out of state.

A BILL FOR AN ACT

1
2 Relating to telemedicine; amending ORS 677.494.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 677.494, as amended by section 130, chapter 73, Oregon Laws 2024, is
5 amended to read:

6 677.494. (1) As used in this section, "telemedicine" means the practice of medicine and provision
7 of health care services to a patient by a physician or physician associate from a distance using
8 electronic communications, including synchronous technologies to facilitate an exchange of infor-
9 mation between a patient and physician or physician associate in real time or asynchronous tech-
10 nologies to facilitate an exchange of information between a patient and a physician or physician
11 associate in other than real time.

12 (2) A physician licensed under ORS 677.100 to 677.228, a physician associate licensed under ORS
13 677.505 to 677.525 or a physician or physician associate licensed under ORS 677.139 may use tele-
14 medicine to engage in the practice of medicine and provide health care services, including the es-
15 tablishment of a provider-patient relationship, the diagnosis or treatment of a medical condition or
16 the prescription of drugs, to a patient physically located in this state. The physician or physician
17 associate is not required to be physically located in this state when engaging in the practice of
18 medicine and providing health care services through telemedicine.

19 (3) The practice of medicine using telemedicine occurs where the patient is physically located.

20 (4) **Notwithstanding subsection (2) of this section, a physician licensed under ORS 677.100**
21 **to 677.228 or physician associate licensed under ORS 677.505 to 677.525 may use telemedicine**
22 **to engage in the practice of medicine and provide health care services to a patient who is**
23 **temporarily located out of state if:**

24 (a) **The practice of medicine or provision of health care services is of a temporary, urgent**
25 **or emergent nature or is to ensure continuity of care to the patient; and**

26 (b) **The physician or physician associate:**

27 (A) **Has an established patient-provider relationship with the patient prior to the time**
28 **at which the patient is located out of state;**

29 (B) **Notifies in writing the Oregon Medical Board and the medical licensing authority of**
30 **the jurisdiction in which the patient is located of the practice of medicine or provision of**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **health care services under this subsection as soon as practicable; and**

2 **(C) Makes themselves available to consult regarding the patient with a health care pro-**
3 **vider who is licensed in the jurisdiction where the patient is temporarily located and who**
4 **provides health care services to the patient.**

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