



Oregon

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INFORMATIONAL TESTIMONY HOUSE BILL 3727

House Committee on Behavioral Health and Health Care March 13, 2025

Chair Nosse, Vice Chairs Javadi and Nelson, and Members of the Committee,

The Oregon Medical Board regulates the practice of medicine in Oregon, and **the practice of medicine occurs where the patient is physically located**. (See ORS 677.494(3)) Therefore, Oregon laws apply when the *patient* is located in our State. Other states regulate the medical care provided to a patient who is physically located in their state.

The Oregon Medical Board supports the intent of this legislation, but HB 3727 may create confusion for Oregon-licensed physicians and physician associates (PAs).

- In 2023, the Oregon Medical Board introduced, and the Legislature passed SB 232 relating to the practice of medicine via remote means. As a result, out-of-state physicians and PAs may provide care via telemedicine (without an Oregon license) when their established patients are located in Oregon.
- Although HB 3727 attempts to allow Oregon-licensed physicians and PAs to provide care to patients outside of Oregon, the states where the patients are located actually have jurisdiction over the care provided. (See *McBride, et al v. Lawson*, 9th Circuit Court of Appeals, February 13, 2025)

This is an area subject to legal interpretation, and we recommend asking Legislative Counsel for advice.

Many states are adopting exemptions for licensure similar to those passed in Oregon's SB 232 (2023) in order to further the goals of this current legislation. Those states, including Washington and Idaho, are noted on the Federation of State Medical Boards' map: States with Episodic and Follow Up Care Licensure Exceptions, www.fsmb.org/siteassets/advocacy/policies/states-with-episodic-follow-up-care.pdf.

The Oregon Medical Board welcomes additional conversation about best practices for patient care.

Nicole Krishnaswami, JD
Executive Director
Oregon Medical Board

The mission of the Oregon Medical Board is to protect the health, safety, and wellbeing of Oregonians by regulating the practice of medicine in a manner that promotes access to quality care.