

No. 21. An act relating to considerations in facilitating the interstate practice of health care professionals using telehealth.

(H.104)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FACILITATION OF INTERSTATE PRACTICE USING

TELEHEALTH WORKING GROUP; REPORT

(a) Creation. There is created the Facilitation of Interstate Practice Using Telehealth Working Group to compile and evaluate methods for facilitating the practice of health care professionals throughout the United States using telehealth modalities.

(b) Membership. The Working Group shall be composed of the following members:

(1) the Director of the Office of Professional Regulation;

(2) representatives of the health care professions associated with the Office of Professional Regulation, selected by their respective licensing board or by the Director;

(3) the Executive Director of the Board of Medical Practice;

(4) representatives of the health care professions licensed by the Board of Medical Practice, selected by the Commissioner of Health;

(5) the Commissioner of Mental Health or designee;

(6) representatives of health care professional organizations;

(7) representatives of health insurers; and

(8) other interested stakeholders.

(c) Powers and duties. The Working Group shall compile and evaluate methods for facilitating the interstate practice of health care professionals using telehealth modalities, including through the creation of telehealth licenses, waiver of licensure, national licensure compacts, and regional reciprocity agreements. In evaluating potential options for implementation in Vermont, the Working Group shall consider the following issues:

(1) impacts and ethical considerations related to patient care and continuity of care;

(2) whether to limit to health care professionals with preexisting patient relationships;

(3) impacts on State regulatory oversight and enforcement, including the fiscal impacts;

(4) effects on prescribing;

(5) differences between the various states and U.S. territories in scopes of practice, qualifications, regulation, and enforcement;

(6) different policy options for facilitating interstate practice, including the potential for reciprocity with health care professionals licensed in Vermont;

(7) whether to explore the international practice of health care professionals using telehealth; and

(8) other issues relevant to facilitating the interstate practice of health care professionals.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Office of Professional Regulation.

(e) Report. On or before December 15, 2021, the Director of the Office of Professional Regulation shall provide the Working Group's findings and recommendations to the House Committees on Health Care and on Government Operations and the Senate Committees on Health and Welfare and on Government Operations.

(f) Meetings. The Director of the Office of Professional Regulation shall convene and serve as the chair of the Working Group and shall call the first meeting to occur on or before July 1, 2021.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: May 12, 2021