

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Health Care to which was referred House Bill No. 104
3 entitled “An act relating to allowing certain licensed out-of-state mental health
4 professionals to treat Vermont patients using telemedicine” respectfully reports
5 that it has considered the same and recommends that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 Sec. 1. FACILITATION OF INTERSTATE PRACTICE USING
9 TELEHEALTH WORKING GROUP; REPORT

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

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

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

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

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

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

3 (5) representatives of health care professional organizations;

4 (6) representatives of health insurers; and

5 (7) other interested stakeholders.

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

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

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

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

18 (4) effects on prescribing;

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

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

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

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

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

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

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

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on passage.

1 and that after passage the title of the bill be amended to read: “An act
2 relating to considerations in facilitating the interstate practice of health care
3 professionals using telehealth”

4

5

6 (Committee vote: _____)

7

8

Representative _____

9

FOR THE COMMITTEE