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H.84

Introduced by Representatives Hooper of Burlington, Austin of Colchester,
Bishop of Colchester, Bluemle of Burlington, Branagan of
Georgia, Burt of Cabot, Campbell of St. Johnsbury, Casey of
Montpelier, Coffin of Cavendish, Critchlow of Colchester,
Dodge of Essex, Duke of Burlington, Greer of Bennington,
Hango of Berkshire, Harrison of Chittenden, Higley of Lowell,
Howard of Rutland City, Kleppner of Burlington, Maguire of
Rutland City, McCann of Montpelier, Morgan, M. of Milton,
Morrissey of Bennington, Mrowicki of Putney, Nielsen of
Brandon, Pinsonault of Dorset, and Satcowitz of Randolph

Referred to Committee on

Date:

Subject: Health; telehealth; recordings; consent

Statement of purpose of bill as introduced: This bill proposes to allow
telehealth appointments to be recorded if both the patient and the provider
consent.

An act relating to allowing telehealth appointments to be recorded with
patient and provider consent

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

2 Sec. 1. 18 V.S.A. § 9361 is amended to read:

3 § 9361. HEALTH CARE PROVIDERS DELIVERING HEALTH CARE
4 SERVICES THROUGH TELEMEDICINE OR BY STORE-AND-
5 FORWARD MEANS

6 * * *

7 (d) Neither a health care provider nor a patient shall create or cause to be
8 created a recording of a provider's telemedicine consultation with a patient
9 unless both the patient and the provider consent to the recording.

10 * * *

11 Sec. 2. 18 V.S.A. § 9362 is amended to read:

12 § 9362. HEALTH CARE PROVIDERS DELIVERING HEALTH CARE
13 SERVICES BY AUDIO-ONLY TELEPHONE

14 * * *

15 (d) Neither a health care provider nor a patient shall create or cause to be
16 created a recording of a provider's telephone consultation with a patient unless
17 both the patient and the provider consent to the recording.

18 * * *

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on passage.