



SPONSOR: Rep. Bentz

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2
TO
HOUSE BILL NO. 334

1 AMEND House Bill No. 334 by deleting lines 19 through 24 in their entirety and inserting in lieu thereof the
2 following:

3 “(b) A professional licensing board listed in subsection (a) of this section may promulgate or revise regulations
4 and establish or revise rules applicable to health-care providers under the professional licensing board’s jurisdiction in order
5 to facilitate the provision of telehealth and telemedicine services consistent with this chapter, including the following:

6 (1) For health-care providers licensed in a state that has adopted the applicable interstate compact for the
7 provider’s license category, requiring a health-care provider to apply for interstate compact licensure in Delaware.

8 (2) For health-care providers licensed in a state that has not adopted the applicable interstate compact for the
9 provider’s license category, requiring a health-care provider to provide written notice to the applicable professional
10 licensing board.

11 (c) Health-care providers licensed in a state other than Delaware are authorized to deliver health-care services by
12 telehealth and telemedicine to patients in this State subject to the provisions of this chapter only if a health-care provider-
13 patient relationship has been established pursuant to §§ 6003-6005 of this title.”

SYNOPSIS

This Amendment does two things. First, it adds a new paragraph new subsection (c) to Section 6003 of Title 24 to clarify that health-care providers licensed in a state other than Delaware are authorized to deliver healthcare services by telehealth and telemedicine to patients in this State subject to the provisions of this chapter if the provider has a pre-existing provider-patient relationship that has been established in accordance with the existing statutory requirements. The amendment makes clear that the intent of House Bill No. 334 is not to remove the existing flexibilities contained in Sections 6003-6005 of Title 24.

Second, this Amendment adds additional clarifying language to subsection (b) to Section 6003 of Title 24 to make clear that the applicable professional licensing boards for each health-care profession authorized for telehealth practice can require out-of-state providers who are licensed in a state that has adopted the applicable interstate licensure compact for the provider’s license category to apply for and seek Delaware licensure under applicable interstate medical licensure compact. For health-care providers licensed in a state that has not adopted the applicable interstate compact for the provider’s license category, the regulations can require written notice to the applicable licensing board.