

CHAPTER 65  
FORMERLY  
HOUSE BILL NO. 201

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO TELEMEDICINE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Section 1769D, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 1769D. Telemedicine and telehealth.

(h) Physicians using telemedicine technologies to provide medical care to patients located in Delaware must, prior to a diagnosis and treatment, either provide:

- (1) An appropriate examination in-person;
- (2) Have another Delaware-licensed practitioner at the originating site with the patient at the time of the diagnosis;
- (3) The diagnosis must be based using both audio and visual communication; or
- (4) The service meets standards of establishing a patient-physician relationship included as part of evidenced-based clinical practice guidelines in telemedicine developed by major medical specialty societies, ~~such as those of radiology or pathology.~~

(i) After a physician-patient relationship is properly established in accordance with this section, subsequent treatment of the same patient with the same physician need not satisfy the limitations of this section.

(j) Nothing in this section shall be construed to limit the practice of radiology or pathology.

Approved July 12, 2017