



SPONSOR: Sen. S. McBride

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
HOUSE BILL NO. 334

AMEND House Bill No. 334, as amended, on line 4 by inserting “licensing” between “professional” and “boards”.

FURTHER AMEND House Bill No. 334, as amended, by striking House Amendment No. 2 to House Bill No. 334 in its entirety.

FURTHER AMEND House Bill No. 334, as amended, by deleting lines 19 through 24 in their entirety and inserting in lieu thereof the following:

“(b) A professional licensing board listed in subsection (a) of this section may promulgate or revise rules applicable to health-care providers under the professional licensing board’s jurisdiction ~~in order~~ to facilitate the provision of telehealth and telemedicine services consistent with this chapter.

(c) A health-care provider licensed in a state that has not adopted an interstate compact applicable to the health-care provider may only provide telehealth under this chapter if the health-care provider obtains an interstate telehealth registration from the Division of Professional Regulation. A health-care provider is eligible for an interstate telehealth registration only if all of the following requirements are continuously met:

(1) The health-care provider holds a valid, active license issued by another state’s licensing authority or board.

(2) The health-care provider is licensed in good standing in all states in which the health-care provider is licensed.

(3) The health-care provider is not the subject of an administrative complaint which is currently pending before another state’s licensing authority or board.

(4) The health-care provider is not currently under investigation by another state’s licensing authority or board, or any authority in this State.

(d) A health-care provider who obtains an interstate telehealth registration under subsection (c) of this section consents and agrees to be subject to all of the following:

(1) The law of this State regarding the health-care provider’s profession in this State, including all provisions of Title 11, Title 16, and Title 24, and all regulations of this State.

24 (2) The judicial system of this State, which includes consenting and agreeing to be subject to the personal
25 jurisdiction of the courts of this State under Chapter 31 of Title 10.

26 (3) All profession conduct rules and standards incorporated into the practice act for the health-care provider's
27 profession.

28 (4) The jurisdiction of the applicable licensing board in this State, including the board's complaint,
29 investigation, and hearing process. Any discipline imposed by a licensing board in this State may be reported to the
30 applicable National Practitioner Database, as well as to every jurisdiction in which the health-care provider holds a
31 license.

SYNOPSIS

This Amendment does all of the following:

- (1) Requires a health-care provider who is licensed in a state that does not have an interstate compact for the provider's field of medicine to obtain an interstate telehealth registration in this State before practicing telehealth in this State.
- (2) Establishes a health-care provider's eligibility for an interstate telehealth registration.
- (3) Makes clear that a health-care provider who obtains an interstate telehealth registration is subject to the laws of this State and jurisdiction of the courts and licensing boards of this State.

Author: Senator S. McBride