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Senate TeleHealth Bill Extends To Out-Of-State Docs, Nurses And Pharmacists

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By LYNN HATTER

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Florida lawmakers have been weighing how to regulate telemedicine—generating debate between doctors’ groups and other healthcare providers. The House has been moving its telehealth proposal along, but the Senate version of the bill had its first hearing Tuesday.



A doctor in Mexico consults with a client and their doctor in California. Credit Intel Free Press

There are several different bills on telemedicine for lawmakers to consider, but when it comes to the Senate’s plans, **only one proposal** is finding widespread support from various physician groups, at least so far. That’s because an amendment to the bill singles out nurses, pharmacists and others who are engaged in their own fight in this year’s session.

“ARNP’s, PA’s and Pharmacists, will be able to practice telemedicine just as they do under their existing scope of practice,” says Rep. Rene Garcia (R-Hialeah) who sponsored the amendment. “We want to make sure we’re very clear this doesn’t expand the scope of practice for any of these professions.”

That means, for example, advanced registered nurse practitioners, or ARNPs, would still have to work under the supervision of a doctor. It’s a group of people lobbying for more freedom to practice on their own.

The Florida Medical Association, the powerful doctor-lobby group, has pushed to limit telemedicine to doctors in Florida. It won that concession in **another Senate telemedicine bill**. But Phillis Oeters, a lobbyist for the non-profit South Florida

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hospital chain Baptist Health worries restricting telemedicine to Florida-registered doctors will hurt the industry:

"Nurses are using that. Pharmacists right now are using that. This is my hospital, but across the country, there's any number of professionals using tele-technology in order to increase patient care levels," she says.

What Oeters doesn't want to see is the state roll that back. That's why her group and others are pleased to see their inclusion in a Senate bill backed by Sen. Aaron Bean (R-Jacksonville) and in Garcia's amendment. Another Garcia amendment lets out-of-state doctors in Florida-affiliated hospitals, health plans or so-called "sister facilities" see Florida patients. The thought is that if anything bad happens, those physicians are still liable under Florida law. Sen. Greg Evers (R-Baker) doesn't believe that will be the case.

"We're going to allow out-of-state doctors which is fine," Evers says. "[But] I feel they should have coverage to protect in a situation where they give the wrong information. I felt the bill covered that -- up until we allowed the amendment-to-the-amendment."

Evers and Sen. Dorothy Hukill (R-Port Orange) are not backing Bean's telehealth bill. Hukill says she's also not supportive of the additional provisions for out-of-state doctors in affiliated hospitals and health plans.

"This is very new, telemedicine. It may be the wave of the future, but I still think we need to concentrate on the patients, and the bottom line is they're not licensed in Florida," she says. "That's it. They're not licensed in Florida and no matter how many exceptions we make, they're not licensed in Florida and don't have the same accountability as Florida physicians do. And so, I can't support the bill."

To be clear, telemedicine is already happening in Florida. Now lawmakers just have to agree on the regulatory framework for it.

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