

# HOUSE BILL REPORT

## SSB 5423

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**As Reported by House Committee On:**  
Health Care & Wellness

**Title:** An act relating to telemedicine consultations.

**Brief Description:** Concerning telemedicine consultations.

**Sponsors:** Senate Committee on Health & Long Term Care (originally sponsored by Senators Rivers, Cleveland and Holy).

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 3/10/21, 3/11/21 [DPA].

**Brief Summary of Substitute Bill**  
**(As Amended By Committee)**

- Authorizes licensed out-of-state practitioners to consult via telemedicine or other means with physicians licensed in Washington who have responsibility for the diagnosis and treatment of patients within Washington.
- Modifies the licensing exemptions for licensed out-of-state practitioners that do not open an office or appoint a place for meeting patients or receiving calls within Washington to apply to in-person practice.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass as amended. Signed by 15 members: Representatives Cody, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Bronoske, Davis, Harris, Macri, Maycumber, Riccelli, Rude, Simmons, Stonier, Tharinger and Ybarra.

**Staff:** Corey Patton (786-7388).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

A person must hold a valid license to practice allopathic or osteopathic medicine in Washington, unless an exemption applies. For example, a practitioner who is not licensed in Washington, but who is licensed by and resides in another state or territory, may practice allopathic or osteopathic medicine if the practitioner does not open an office or appoint a place for meeting patients or receiving calls within Washington.

Telemedicine is generally defined as the use of interactive audio and video technology for the purpose of diagnosis, consultation, or treatment of a patient.

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**Summary of Amended Bill:**

A practitioner licensed by and residing in another state or territory may consult via telemedicine or other means with an allopathic or osteopathic physician licensed in Washington who has responsibility for the diagnosis and treatment of a patient within Washington.

The licensing exemptions authorizing a licensed out-of-state practitioner to practice allopathic or osteopathic medicine if the practitioner does not open an office or appoint a place for meeting patients or receiving calls within Washington are modified to apply to in-person practice.

**Amended Bill Compared to Substitute Bill:**

The amended bill: (1) authorizes a licensed out-of-state practitioner to consult via telemedicine or other means, rather than via telemedicine only, with an allopathic or osteopathic physician licensed in Washington who has responsibility for the diagnosis and treatment of a Washington patient; and (2) modifies the provisions authorizing a licensed out-of-state practitioner to practice allopathic or osteopathic medicine if the practitioner does not open an office or appoint a place for meeting patients or receiving calls within Washington to specify that the provisions apply to in-person practice.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Telemedicine consultations between licensed in-state and out-of-state physicians already happen in practice but are not explicitly authorized. Consultations between physicians are important for obtaining expert second opinions and specialty consults, which are commonly conducted for cancer diagnoses and cardiovascular or neurological examinations. This bill will clarify which types of consultations are authorized and help facilitate agency rulemaking. This bill could be improved by an amendment that authorizes consultations by telemedicine or other means because telemedicine is typically defined as being between a patient and a practitioner, not between two practitioners.

(Opposed) None.

**Persons Testifying:** Senator Rivers, prime sponsor; Carrie Tellefson, Teladoc Health, Inc.; and Michael Farrell and Stephanie Mason, Washington Medical Commission.

**Persons Signed In To Testify But Not Testifying:** None.