

IN THE SENATE

SENATE BILL NO. 1127

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1  
2 RELATING TO TELEHEALTH; AMENDING SECTION 54-5705, IDAHO CODE, TO REVISE  
3 PROVISIONS REGARDING THE ESTABLISHMENT OF A PROVIDER-PATIENT RELATION-  
4 SHIP.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-5705, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 54-5705. PROVIDER-PATIENT RELATIONSHIP. (1) If a provider offering  
9 telehealth services does not have an established provider-patient re-  
10 lationship with a person seeking such services, the provider shall take  
11 appropriate steps to establish a provider-patient relationship by use of  
12 two-way audio or audio-visual interaction telehealth technologies suffi-  
13 cient to diagnose and appropriate to treat the patient with the condition as  
14 presented; provided however, that the applicable Idaho community standard  
15 of care must be satisfied. Nothing in this section shall prohibit electronic  
16 communications:

17 (a) Between a provider and a patient with a preexisting provider-pa-  
18 tient relationship;

19 (b) Between a provider and another provider concerning a patient with  
20 whom the other provider has a provider-patient relationship;

21 (c) Between a provider and a patient where the provider is taking call  
22 on behalf of another provider in the same community who has a provider-  
23 patient relationship with the patient; or

24 (d) In an emergency.

25 (2) As used in this section, "emergency" means a situation in which  
26 there is an occurrence that poses an imminent threat of a life-threatening  
27 condition or severe bodily harm.