

**PROPOSED TELEPRACTICE RULES – OREGON BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY- October 26, 2018 DRAFT**

**OREGON ADMINISTRATIVE RULES DIVISION 5 PROFESSIONAL AND ETHICAL
STANDARDS**

ADD THE FOLLOWING TO 335-005-0010 DEFINITIONS:

335-005-0010

(3) “Telepractice” is the application of telecommunications technology to delivery of professional services at a distance for assessment, intervention, and/or consultation. “Telepractice” means, but is not limited to, telehealth, telespeech, teleSLP, telehear, telerehab, teletherapy, teleswallow, teleaudiology when used separately or together.

(a) “Patient” or “client” means a consumer of telepractice services.

(b) “Telepractice service” means the application of telecommunication technology to deliver audiology and/or speech-language pathology services at a distance for assessment, intervention and/or consultation.

(c) “Client/patient site” means the location of the patient or client at the time the service is being delivered via telecommunications.

(d) “Clinician site” means the site at which the audiologist or speech-language pathologist delivering the service is located at the time the service is provided via telecommunications.

ADD A NEW SECTION – Preferred series #335-005-16: TELEPRACTICE

(1) Audiologists and speech-language pathologists who hold an Oregon license can provide telepractice services through telephonic, electronic, or other means, including diagnosis, consultation, treatment, transfer of health care information. Telepractice, whether the service is rendered from Oregon or delivered to Oregon, constitutes the practice of audiology or speech-language pathology and shall require state licensure.

(2) Services delivered via telecommunication technology must be equivalent to the quality of services delivered face-to-face (i.e. in-person).

(3) The telepractitioner is responsible for assessing the client’s candidacy for telepractice, including behavioral, physical, and cognitive abilities to participate in services provided via telecommunications.

(4) Telepractice services must conform to professional standards including but not limited to ethical practice, scope of practice, professional policy documents, and other relevant federal, state, and institutional policies and requirements.

(5) Telepractitioners must have the knowledge and skills to competently deliver services via telecommunication technology by virtue of education, training, and/or experience.

(6) The use of technology—e.g., equipment, connectivity, software, hardware must be appropriate for the service being delivered and must be able to address the unique needs of each client.

(7) Audio and video quality shall be sufficient to deliver services that are equivalent to in-person service delivery.

(8) Telepractice service delivery includes the responsibility to ensure calibration of clinical instruments in accordance with standard operating procedures and the manufacturer's specifications.

(9) Initial evaluations must be done in-person, they cannot be done via tele-practice.

(10) Prior to the initiation of telehealth services, a Licensee shall obtain the patient/client and if applicable, their parent or guardian's consent to receive the services via telepractice. The consent may be verbal, written, or recorded and must be documented in the patient/client's permanent record. The notification will include, but not be limited to, the right to refuse telepractice services, the right to request a re-evaluation, options for service delivery, and instructions on filing and resolving complaints.

(11) Telepractitioners shall comply with all laws, rules, and regulations governing the maintenance of client records, including but not limited to HIPAA and FERPA, and client confidentiality requirements in the state where the client is receiving services, regardless of the state where the records of any client within this state are maintained.

(12) Telepractice services may not be provided by correspondence only—e.g., mail, e-mail, fax—although these may be used in connection with telepractice.

(13) When providing services via telepractice, the Licensee shall have procedures in place to address remote medical or clinical emergencies at the patient/client's location.