



# Practice of Medicine Across State Lines (Telemedicine) Practice Description Form

Revised 06/2024

There are specific requirements for providers to practice medicine across state lines (Telemedicine) in Oregon, as stated in Oregon statutes and administrative rules. In order to ensure that the provisions of these statutes and rules are followed, please provide the following descriptions of how you intend to practice medicine across state lines.

1. In which state, Canadian province, or country will you be located when practicing on Oregon patients?
  
  
  
  
  
  
  
  
  
  
2. If you will be working through a Telemedicine company, please provide the name and location.
  
  
  
  
  
  
  
  
  
  
3. In what manner will you be communicating with your Oregon patients (telephone, email, internet, video-conference)?
  
  
  
  
  
  
  
  
  
  
4. Describe how you will establish a provider-patient relationship with each patient prior to diagnosing, treating, correcting or prescribing for a patient in Oregon from the state, province, or country where you are located.

## 5. Physician Associates:

- ☐ I understand that Oregon law requires all Physician Associates enter in a Collaboration Agreement with a licensed physician, or defined employer, in order to provide services in the state. Additionally, I understand that failure to do so may result in an investigatory action by the Board.

***Information about Collaboration Agreements and Physician associate Practice may be reviewed by visiting our website:***  
***[Oregon Medical Board : HB 3036: Physician associate Modernization Bill : Topics of Interest : State of Oregon](#)***

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_



# Practice of Medicine Across State Lines (Telemedicine)

## Practice Description Form

Revised 06-2024

### Rules for licensure to practice medicine across state lines

#### 847-025-0000: Preamble

(1) A physician or physician associate granted a license to practice medicine across state lines is subject to all the provisions of the Medical Practice Act (ORS Chapter 677), and to all the administrative rules of the Oregon Medical Board.

(2) A physician or physician associate granted a license to practice medicine across state lines has the same duties and responsibilities and is subject to the same penalties and sanctions as any other physician or physician associate licensed under ORS Chapter 677, including but not limited to the following:

- (a) The physician or physician associate shall establish an appropriate provider-patient relationship;
- (b) The physician or physician associate shall make a judgment based on some type of objective criteria upon which to diagnose, treat, correct, or prescribe;
- (c) The physician or physician associate shall engage in all necessary practices that are in the best interest of the patient; and
- (d) The physician or physician associate shall provide for an acceptable continuity of care for patients, including follow-up care, information, and documentation of care provided to the patient or suitably identified care providers of the patient;
- (e) The physician or physician associate shall refrain from writing prescriptions for medication resulting only from a sale or consultation over the Internet.

#### 847-025-0010: Definitions

"The practice of medicine across state lines" means:

- (1) The rendering directly to a person of a written or otherwise documented medical opinion concerning the diagnosis or treatment of that person located within Oregon for the purpose of patient care by a physician or physician associate located outside Oregon as a result of the transmission of individual patient data by electronic or other means from within Oregon to that physician, the physician's agent, or physician associate outside Oregon; or
- (2) The rendering of medical treatment directly to a person located within Oregon by a physician or physician associate located outside Oregon as a result of the outward transmission of individual patient data by electronic or other means from within this state to that physician, the physician's agent, or a physician associate outside the state.

#### 847-025-0020: Exemptions

A license to practice across state lines is not required of a physician or physician associate:

- (1) Engaging in the practice of medicine across state lines in an emergency (ORS 677.060(5)); or
- (2) Located outside this state who consults with another physician or physician associate licensed to practice medicine in this state, and who does not undertake the primary responsibility for diagnosing or rendering treatment to a patient in Oregon;
- (3) Located outside the state and has an established provider-patient relationship with a person who is in Oregon temporarily and who requires the direct medical treatment by that physician or physician associate.

#### 847-025-0030: Limitations

- (1) A license for the practice of medicine across state lines does not permit a physician or physician associate to practice medicine in the state of Oregon except when engaging in the practice of medicine across state lines.
- (2) A license to practice medicine across state lines is not a limited license per ORS 677.132 or ORS 677.535.

(3) A physician or physician associate issued a license to practice medicine across state lines shall not:

- (a) Act as a dispensing physician as described in ORS 677.010 (5);
- (b) Administer controlled substances for the treatment of intractable pain to a person located within in Oregon, per ORS 677.470, 677.489;
- (c) Provide written documentation for purposes of ORS 475B.797;
- (d) Employ a physician associate as defined in ORS 677.495 to treat a person located within Oregon;
- (e) Assert a lien for services under ORS 87.555;
- (f) Act as a supervising physician of an Oregon-certified First Responder or Emergency Medical Technician as defined in ORS 682.245;
- (g) Be eligible for any tax credit provided by ORS 316.076;
- (h) Participate in the Rural Health Services Program under 442.550 to 442.570; or
- (i) Dispense prescription drugs as a physician associate under ORS 677.511.

#### 847-025-0040: Qualifications

- (1) To qualify for a license to practice medicine across state lines:
  - (a) An out-of-state physician or physician associate must hold a full, unrestricted license to practice medicine in any other state, must not have been the recipient of a previous disciplinary or other actions by any other state or jurisdiction; or
  - (b) An out-of-state physician or physician associate who has been the recipient of previous disciplinary or other action by any state or jurisdiction may be issued a license for the practice of medicine across state lines if the Board finds that the previous disciplinary or other action does not indicate that the physician or physician associate is a potential threat to the public interest, health, welfare and safety of the citizens of the state of Oregon; and
  - (c) Must otherwise meet the standards of licensure under ORS 677.
- (2) An out-of-state physician or physician associate would not qualify for a license to practice medicine across state lines if the applicant is the subject of a pending investigation by a state medical board or another state or federal agency.

#### 847-025-0050: Application

- (1) When applying for a license to practice medicine across state lines, the physician or physician associate shall submit to the Board:
  - (a) The completed application, fees, documents, letters, and any other information required by the Board for physician licensure as stated in OAR 847, division 020 or physician associate licensure as stated in OAR 847, division 50; and
  - (b) A description of the applicant's intended practice of medicine across state lines in the state of Oregon.
- (2) A physician or physician associate applying for a license to practice medicine across state lines is subject to the requirements in OAR 847-008-0010.

#### 847-025-0060: Medical Records and Personal Appearance

A physician or physician associate granted a license to practice medicine across state lines shall:

- (1) Comply with all applicable laws, rules, and regulations in this state governing the maintenance of patient medical records, including patient confidentiality requirements, regardless of the state where the medical records of any patient within this state are maintained; and
- (2) Produce patient medical records or other materials as requested by the Board and appear before the Board following receipt of a written notice issued by the Board. Failure of the physician or physician associate to appear or to produce records or materials as requested shall constitute grounds for disciplinary action per ORS 677.190.