Telehealth Nursing

**Statement of Purpose**
Health care delivery is continually adapting and innovating to provide new and creative approaches to meet client needs. The purpose of this interpretive statement is to define the term “telehealth nursing” and provide guidance for nurses caring for Oregonians.

The OSBN acknowledges that “nursing practice” occurs in many locations and settings regardless of the location of the client. However, the Board needs to state definitively that nurses who care for Oregon residents who are physically located in Oregon must be licensed in Oregon, regardless of the location of the nurse.

Each state regulates their own unique nursing practice requirements providing for the public protection of their citizens. The Oregon Board of Nursing has jurisdiction in Oregon only and cannot authorize any Oregon licensed nurse to provide care for a client located in another state. Where care began is not relevant, what is relevant is the physical location of the client when the nurse/client interaction occurs.

Oregon licenses nurses who care for patients not physically located in Oregon must review the practice act of the state or jurisdiction where the patient is located to assure that the Oregon nurse is practicing within the laws of that state or jurisdiction. The state where the patient is located could sanction the nurse for practicing in their state without a license.

**Background/Significance**
The Board regularly receives inquiries from out-of-state nurses and from non-Oregon employers of nurses regarding the need for Oregon nursing licensure when engaging with a client physically located in our state. The activities of question have been described as non-direct care, nursing case management, telephone triage, crisis intervention, nursing advice lines, health promotion, chronic disease management, client health education, health counselling, nurse consulting, and disease monitoring.

**Board Statement**
The Board's regulation of nursing in Oregon is for the protection of the public. Licensure ensures that minimum standards are met by those practicing nursing with Oregon residents and provides recourse for consumers of nursing practice if a regulated practitioner violates standards of practice.

Telehealth nursing practice is the practice of nursing occurring over distance using a communication technology device or application. The device or application allows for a nurse to engage with a client regardless of the location of either party. Nursing practice, inclusive of telehealth nursing, occurs when a nurse applies nursing knowledge and judgment when assessing, diagnosing, planning, carrying out interventions, and evaluating client outcomes. Whether the practice of nursing occurs face to face or by electronic means, it is the application of the body of nursing knowledge and the individual licensee’s engagement in actions and behaviors that demonstrate the practice of nursing as defined by ORS 678.010(8). This is applicable to all nurses licensed by the Board regardless of level of licensure. This includes nursing practice activities such as, but not limited to nursing case management, telephone triage, crisis intervention, nurse advice, chronic disease management, health education, health counseling, nurse consultation, and disease monitoring through the nurse’s utilization of communication technology devices or applications.
Frequently Asked Questions

Q: I am an RN based out of Ohio and do not have an Oregon RN license. My job responsibilities at my company include providing health counseling and chronic disease management services to patients in Oregon and other states. I do this over the phone and by email; it doesn’t involve hands-on nursing care. Do I need an Oregon nursing license to do this type of work with clients in Oregon?
A: Yes, you would need to be licensed in Oregon as a registered nurse to provide those nursing services to persons located within our state’s borders. The nursing practice activities that you describe are examples of telehealth nursing practice. It’s the application of nursing knowledge and judgment when assessing, diagnosing, planning, carrying out interventions, and evaluating client outcomes that makes the activities nursing practice.

Q: I am a PMHNP and I have started working for a company that provides access to mental health services to underserved areas throughout the country. There are no mental health providers in these areas and without this service, the people living in those areas would not have access to any mental health services. Does the Board really require that I am licensed in every state where these clients are located?
A: The Board has no authority to require you to have a license in any other state other than Oregon. Per the Oregon statute that govern nursing licensure, if you only have a nursing license in Oregon then you are not a nurse in any other state and would probably be prohibited from providing these services in their state under your Oregon license. State-based licensure means that you may only provide care for those clients located in the state in which you are licensed.

Q: I am an Oregon licensee and have been doing telehealth nurse consulting over the phone for a client located in Pennsylvania over the past year and will be relocating there next month. Should I apply for a Pennsylvania nursing license now or when I move there?
A: The Oregon Board of Nursing is accountable for the safety of Oregonian’s and does not hold jurisdictional authority over the practice of nursing that occurs with residents of Pennsylvania. Your nursing practice with your Pennsylvania client falls under the jurisdiction of the Pennsylvania State Board of Nursing contact them immediately regarding licensure requirements for nursing practice in Pennsylvania. Each state and U.S. Territory is accountable for the safety of its citizens and has sovereignty over determining regulations for those interacting with its citizens. If you are consulting with clients in any other state, please contact each state’s respective nursing regulatory agency.

Reference: Oregon Revised Statute 678
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